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BOSTON UNIVERSITY

GRADUATE SCHOOL

Thesis

HISTORY OF UNITED STATES MILITARY AND DIPLOMATIC
INTERVENTION IN MEXICO.

Submitted by

Donald Welch Fowler

(A. B., Wesleyan, 1925)

In partial fulfilment of requirements for
the degree of Master of Arts.

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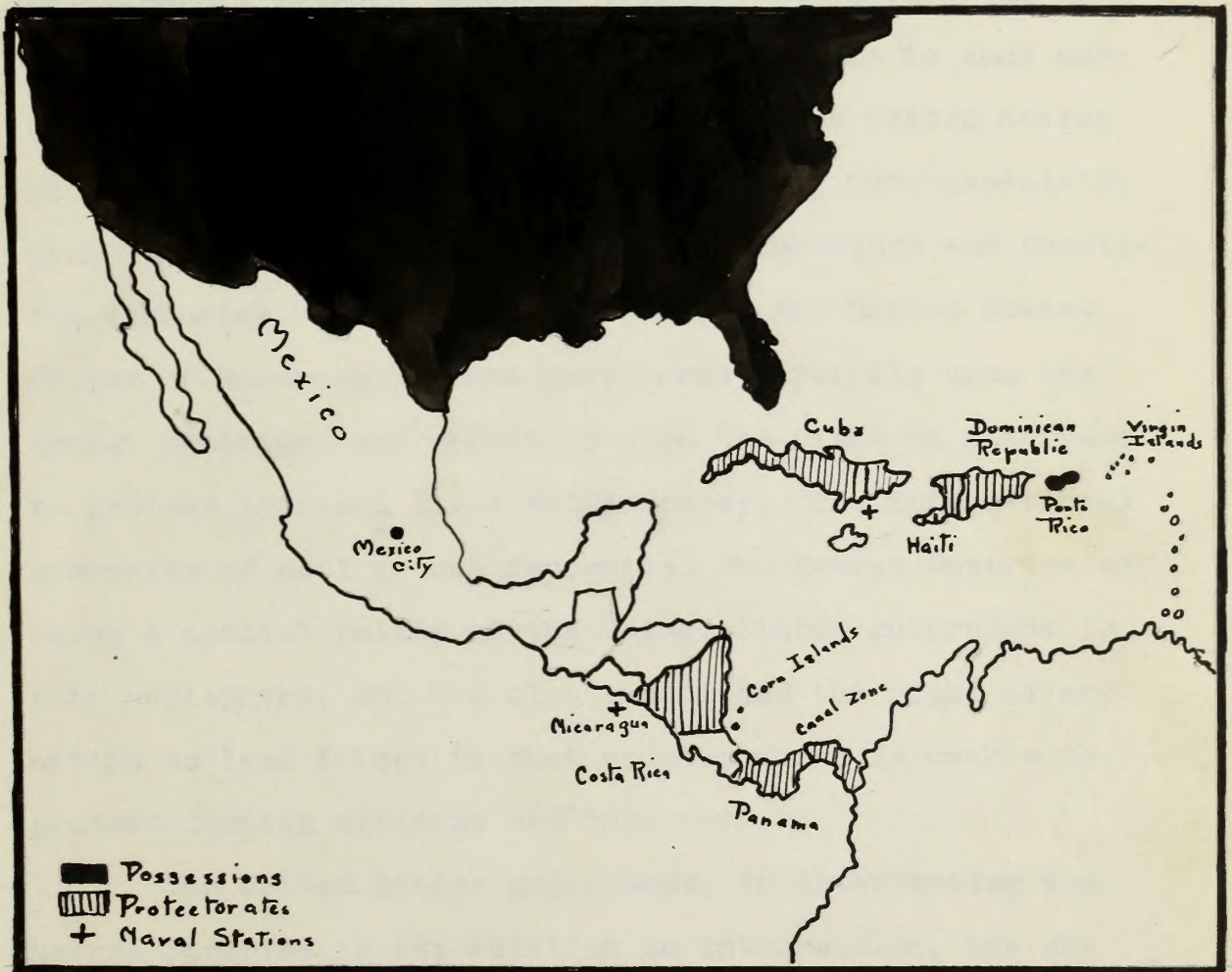
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Suggestion from Lingley's 'Since the Civil War' p. 524.



S. P. H. 1894
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Chapter I

United States Intervention and International Law

It is the purpose of this thesis to point out the relationship between American military and diplomatic intervention and international law, and to come to some conclusion either justifying or condemning the United States policy of intervention in this hemisphere, more especially with reference to Mexico, during the nineteenth and twentieth centuries. It is to be noted that the United States policy of intervention has been based partially upon the Monroe Doctrine, and partially upon the right to intervene to protect American lives and property. The international community of nations has recognized the Monroe Doctrine as being a special policy of the United States government in this hemisphere, and has also sanctioned the right of any nation to land forces in that country which is unable to protect foreign citizens and interests.

The United States government, in interpreting the Monroe Doctrine in its relation to intervention, has emphatically stated that "no European power or combination of European powers shall forcibly deprive an American state of the right and power of self government, and of shaping for itself its own political fortunes and destinies."¹. Upon this interpretation has the United States

1. Latané - A History of the American Foreign Policy,
Page 482.

on several occasions justified its right to intervene in the Caribbean.

Yet between 1850 and 1894, Great Britain had repeatedly tried to extend the western boundary of British Guiana into Venezuelan territory. Venezuela, unable to settle the question of Britain's right to seize this land, invoked, through the usual diplomatic channels, the aid of the United States. The American government responded by threatening to declare war against Great Britain unless she arbitrated the boundary dispute. The British government, then occupied with African difficulties as well, agreed to permit the American commissioners to investigate the question in dispute. Great Britain had tried to strangle the rights of a smaller state in this hemisphere, and the United States, under the Monroe Doctrine, intervened to prevent it.

Stowell, the well-known authority on international law, has justified the intervention of the United States in Cuba and Panama for humanitarian reasons. "Intervention on the ground of humanity is justifiable as a matter of precedent, as well as theory."¹ At times it has been most difficult to decide whether the United States has intervened in a Caribbean country for the good of the people or for the protection of interests already acquired. The author is inclined to believe that previous to 1910, the evidence shows that we did not pursue an entirely imperialistic

1. Stowell - Intervention in International Law, Pages 57 to 58.

policy. Whatever may have been the criticism of this policy, we as a nation have not been entirely able to overlook our duties in the Caribbean. Smaller nations, unable to quell disorders, must necessarily expect that the United States will intervene for the political, economic and social betterment of the nation concerned.

For humanitarian reasons, the United States intervened in Cuba in 1898. Not until conditions became unbearable, not until the island of Cuba became an international nuisance, was it necessary for the American government to compel Spain to relinquish her sovereignty over Cuba. On several different occasions between 1823 and 1896, we notified Spain that just so long as she governed her colony in such a manner that Spanish rule was inoffensive to us, just so long were we ready to defend the sovereignty of Spain over the island.¹

During this period of continued unrest and exploitation of Cuba by the mother country, repeated efforts were made to get the Spanish government to institute reforms.² Queen Maria promised to govern Cuba in a more humane manner, but her few grants of self government had no noticeable effect upon political, social and economic conditions within the colony.³

Finally, in December, 1898, President McKinley

1. Columbia University - Martin, C. E. - Studies in History, Economic and Public Law, Vol. XCIII, Pages 139, 140, 141.
2. United States Foreign Relations, 1898, Page 565.
3. Callahan - Cuba and International Relations, Page 463.

appeared before Congress and recommended intervention for humanitarian reasons and for the protection of American lives, property and commerce.¹.

Since the intervention of the United States in 1898, conditions within Cuba have greatly improved, and as a result, Cuba is today a sovereign and prosperous state. In a little over three years of American occupation, a republic was modeled closely upon the lines of the United States. At the conclusion of the period of intervention, the Platt Amendment was signed between the two governments.². Since 1902, the United States has had occasion, justified by the Platt Amendment, to intervene at four different times, -- 1904, 1906, 1912, 1917 -- and each period of occupation was entered upon with the one idea of restabilizing conditions within the island, thus making her better able to fulfill her international obligations. There has been criticism of the Platt Amendment in that it restricts the sovereignty of Cuba. It is the opinion of American statesmen that the treaty between Cuba and the United States gives us the right to intervene only when the independence of the republic is endangered and a state of anarchy exists within her borders.

Based upon the right of intervention for the sake of humanity and the advancement of commerce, the United States took a hand in Panama. On these grounds, Stowell claims

1. United States Foreign Relations, 1898, Page 757.

2. International Year Book, 1901, Page 229.

that the United States had the right to recognize Panama and to suppress the Panama-Colombia revolt. To be sure, the latter had sovereignty over the former, but sovereignty does not permit a state to make an abuse of its rights.¹.

In 1903, the United States government negotiated a treaty with Colombia which provided for the acquisition of a strip of land through Panama. For the title to this land, we agreed to pay \$10,000,000.00 outright, and an annuity of \$250,000.00. Since this land was needed to shorten the trade route between the East and the West, it was essential that we should acquire it in order that the whole world might benefit by the construction of a canal from the Pacific to the Caribbean. When the Colombian Senate refused to ratify the treaty, our government allowed Panama to carry on a successful revolution, and afterwards granting almost immediate recognition to Panama, we negotiated a treaty for the desired strip of land.

Within fifty-three years there were fifty-three revolutions in Panama. The cause for dissatisfaction among the people may be traced to the corruptness of the Colombian government itself. It had become impossible for the people of Panama to tolerate any longer the despotism of certain dictators who disregarded the wishes of the native population. Previous to 1903, the American policy had been to intervene to quell revolts in that property interests,

1. Stowell - Intervention and International Law, Pages 287, 288.

that the United States had the right to recognize Liberia

and to support the American-Liberian Treaty. In 1862,

the latter has actually over the former, but eventually

it does not permit a state to make an abuse of its rights.

In 1903, the United States Government recognized a

treaty with Colombia which provided for the cession of

a strip of land through Panama. For this title to this land,

an amount of \$10,000,000.00 was paid, and an amount of

\$250,000.00. This title was granted to Liberia by

the United States Government. The title was granted to

the United States Government. It is not that the whole world

is not the United States. When the United States is

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namely, railway investments, were endangered, but in 1903, President Roosevelt allowed the revolution in Panama to continue. Later, in justification of his policy, he made this statement: "I did not lift my finger to incite the revolutionists. I simply ceased to stamp out the different revolutionary fuses that were already burning."¹.

The construction of the Panama Canal, then, was based upon this right to intervene for the sake of humanity. It is well known that Colombia had reasons to delay the treaty negotiation for the sale of land in the hope of obtaining a better price. There can be no denial that the revolution in Panama was engineered by the United States government; but Roosevelt's "politeness" did much for humanity at large by obviating the need of going around Cape Horn.

The twentieth century has witnessed a clearer conception of intervention. This newer interpretation made its appearance in Santo Domingo, Haiti, Nicaragua and Mexico under the phraseology of what some cautious statesmen term the "big brother" policy of the United States. President Roosevelt in 1904 most clearly defined the policy when he stated: "Brutal wrong doing or impotence, which results in the general loosening of the ties of civilized society, may finally require intervention by some civilized nation, and in the Western Hemisphere, the United States cannot ignore its duty."². But let us not forget that the term,

1. Theodore Roosevelt - Autobiography - Page 567.

2. Nation - "A Treaty with Chaos", Vol. 82, Page 4.

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"intervention", in so far as the United States Government is concerned, meant nothing more than the protection of American investments in this hemisphere. Our new imperialistic policy was to be carefully classified as "dollar diplomacy."

American intervention in Santo Domingo from 1898 to 1908 was in the first place, justified by Oppenheim's definition of intervention. "If a state in war or peace does not live up to the principles of the laws of nations which we recognize, other states have the right to intervene, and to see that states submit to obligatory demands."¹

In the second place, the application of the Monroe Doctrine justified our interference. Our country was forced to intervene because French, Belgian and English creditors brought pressure to bear upon their own governments to threaten intervention in Santo Domingo.² From European history we know that, had these countries intervened, Santo Domingo would never have enjoyed the independence which she now has.

The occasion for intervention in Santo Domingo arose from the fact that the government had borrowed so much money from Belgium, Great Britain, the United States and France that it was unable to pay the interest on these loans. Recognizing the fact that it could not meet these financial

1. Oppenheim - International Law, Vol. I, Pages 183 to 184.

2. United States Foreign Relations, 1905, Page 337.

"intervention", in so far as the United States Government
is concerned, means nothing more than the protection of
American interests in this hemisphere. The new inter-
- tistic policy was to be carried out in accordance with the
policy.

American intervention in Latin America from 1898 to
1902 was in the first place, justified by opposition to the
policy of intervention. "If a state is not on peace does
not live up to the principles of the law of nations which
we recognize, other states have the right to intervene, and
to see that states submit to obligatory arbitration."

In the second place, the acquisition of the
territory justified our intervention. Our country was forced
to intervene because France, Britain and Italian creditors
demanded payment on their loans and threatened to
seize the property in Latin America. From 1902 to
1904 we saw that, but this country intervened, and
Latin America never had enjoyed the independence which she
now has.

The occasion for intervention in Latin America was
from the fact that the Government had borrowed on such loans
from Britain, Great Britain, the United States and France
that it was unable to pay the interest on these loans. And
because the fact that it could not meet these financial

1. Department of State - Intervention in Latin America, 1898-1902
2. United States Foreign Relations, 1902, page 257.

obligations, in 1888 the Dominican government allowed Westendrop & Company of Holland to collect customs receipts, and what money was left after government expenses were paid was to be used for the payment of outstanding foreign obligations.

In 1890 when the Santo Domingo Improvement Company of New York bought out the Dutch interests in Santo Domingo, the Dominican government allowed the New York company to discharge its debts by the same method which had been used by the Westendrop Company of Holland. Shortly after this transfer of ownership in 1895, the French demanded payment on bonds due them, and to force the Dominican government to meet its legal obligations, sent over a portion of the French fleet.¹ The Santo Domingo Improvement Company succeeded in meeting the French demands, and in order to prevent the possibility of a similar act on the part of other foreign nations, called in nearly all of the outstanding bonds which had been issued, so that few remained in circulation outside of Belgian, Dutch, English and French markets.

Conditions in this Caribbean island became more critical in 1899 when President Heureau was killed and the Jiminez faction seized the government. Revolutions became so numerous that the United States government stationed the cruiser "New Orleans" and the gunboat "Machias" in the

1. The United States Foreign Relations, 1905, Page 345.

obligations, in 1885 the Canadian government allowed the
transfer of property of Holland to collect customs receipts,
and that money was left after government expenses were paid
was to be used for the payment of outstanding foreign obli-
gations.

In 1890 when the Dutch Canadian Investment Company
of New York found out the Dutch Government in Canada had
the Canadian government allowed the New York company to
discharge its debts by the same method which had been used
by the Netherlands Government of Holland. Shortly after this
transfer of property in 1892, the French demanded certain
amounts from them, and so the Canadian government so

met its local obligations, sent over a portion of the
French loan. The Dutch Canadian Investment Company was
needed in settling the French demands, and in order to re-
store the possibility of a similar act on the part of other
foreign nations, settled in nearly all of the outstanding
debts which had been issued, and that few remained in trans-
action outside of Holland, French, British and Spanish na-
tions.

Conditions in the Canadian Island became more
critical in 1939 when thousands of houses were killed and the
British faction seized the government. Conditions became
so serious that the United States Government intervened the
British "New Britain" and the "British" faction in the

harbor of Santo Domingo City in order to protect the property of the Santo Domingo Improvement Company of New York.

The climax of the Dominican situation was reached in 1901 when President Jiminez withdrew all rights and privileges which had previously been granted to the Santo Domingo Improvement Company. After the overthrow of Jiminez in 1902, the Dominican government offered to purchase the New York company's rights of ownership. It was agreed that such a purchase should be consummated only with the understanding that full possession of the property should not be surrendered until conditions within Santo Domingo were sufficiently stabilized to guarantee payments.

As no satisfactory agreement could be reached, and since no degree of safety was insured to the Santo Domingo Improvement Company's property, a detachment of twenty-nine marines landed on Dominican soil at the request of American property owners. After conditions became more satisfactory, these marines were withdrawn.¹.

Again in January, 1904, two opposing factions headed by Jiminez on the one hand and Morales on the other, struggled for power, and a second time our government landed marines at Puerto Plata to protect American lives and property. Since we were on Dominican soil merely to protect our own interests, and had intervened without giving aid to either party, intervention was justified.².

1. Report of the Secretary of the Navy, May, 1903, Page 1229.

2. Right to Protect American Citizens by Landing Forces in Foreign Countries, Page 32.

President Morales, in desperation, requested the aid of the American government to remedy the situation. President Roosevelt thereupon signed a protocol on January 21, 1905 with the Morales government which, in brief, gave us the right to undertake the adjustment of all foreign as well as domestic obligations.¹ This document was not ratified by the United States Senate until 1907. This treaty became the basis of American intervention after 1907.

American intervention in Santo Domingo during the period from 1916 to 1923 cannot be justified. To be sure, our treaty of 1907 with the Dominican government states that that government should not contract new loans without the previous consent of the United States,² yet did this clause in the treaty imply the power of intervention? International law does not recognize the right to intervene in case a treaty is violated unless a clause within that document specifically so states.³

Senator Borah voiced the opinion of many an American citizen when he said that he believed it was the serious intent of our government to seize Santo Domingo. He pointed out that American property was as safe in Santo Domingo as though it were in New York, and even though the treaty of 1907 denied the right of any alien to acquire property in Santo Domingo, nevertheless it did not prevent

1. United States Foreign Relations, 1905, Page 311.

2. United States Foreign Relations, 1907, Page 308

3. Stowell - Intervention in International Law, Page 447

President Johnson, in his message, requested the aid of the American government in the situation. President Johnson is strongly against a proposal on June 21, 1965 with the American government which, in effect, gave to the world the impression of an attempt to all out sign as well as domestic affairs. This document as not related to the United States since 1965. This treaty bears the basis of American relations in 1965.

American intervention in South Vietnam during the period from 1965 to 1968 cannot be justified. In the early part of 1965 with the American government, it was stated that government should not conduct war in Vietnam out of the present context of the United States. The aid this clause in the treaty is the basis of intervention. International law does not recognize the right to intervene in the internal affairs of a state. This document specifically states:

President Johnson stated the purpose of the aid to South Vietnam when he said that the purpose is to assist the government of the government to achieve South Vietnam. He pointed out that American property was not in South Vietnam as stated in the text, and even though the treaty of 1965 stated that the aid was given to assist the government in South Vietnam, the aid was not given to assist the government in South Vietnam.

1. United States Foreign Relations, 1965, page 11.
2. United States Foreign Relations, 1965, page 11.
3. Document - Intervention in International Law, page 47.

our government from seizing 20,000 acres of choice lands.¹

Public criticism led to a Senate investigation, and eventually, Secretary of State Hughes announced that after adequate supervision of elections, marines would be withdrawn from Santo Domingo. This actually took place in July, 1923.

If intervention in Santo Domingo, under the pretext of protecting American interests, was unjustified by international law, certainly that in Haiti, its neighbor, has been. Of all the countries in the Caribbean afflicted with disturbances, certainly Haiti has been the "hot-bed" of revolutions. Until 1914, in its one hundred ten years of independence, Haiti has had one king, two emperors and twenty-seven presidents. Native ignorance and the bloodthirstiness of its people have been two of the underlying reasons for these revolutions. It was not with the purpose of restoring law and order entirely that we intervened in Haiti, nor was it necessarily for protecting American lives and property. One of the vital reasons for landing marines in 1914 and 1915 was the fear of German control of the island.

Previous to 1914 the United States had sent battleships to the republic at twenty-two different times in order to protect American lives and property, and also to restore law and order. During these years, the troubles

1. New York Times, May 22, 1922, Page 1.

and disturbances in Haiti were of such a serious nature that the Secretary of the Navy felt called upon to comment, in his reports, upon the fact that warships had been sent there.¹

Conditions within Haiti became even more serious in 1902 when the inhabitants of that island complained of fraudulent elections, disqualification of legal voters, and voiced their objection to the policy of President Leconte in signing a commercial treaty with Germany rather than with France.² The Haitians naturally favored the latter in that France had once occupied the island under the regime of Napoleon I. This fact alone gave us definite assurance that German aggression in Haiti was becoming serious. When the Panama Canal was completed, and war broke out in Europe, German designs became even more apparent.

As revolutions became more frequent, in 1914, President Wilson landed marines at Port au Prince. British, French and German marines were likewise sent to Haiti to quell disorders.³ At this particular time, Wilson issued a memorandum stating that the government of the United States desired nothing for itself from Haiti which was not accorded to the citizens of other countries. "It desires only to prove its sincere and disinterested

1. Senate Hearings on Haiti and Santo Domingo, 1921, Part I, Page 62.

2. United States Foreign Relations, 1902, Pages 589-591.

3. United States Foreign Affairs, 1914, Page 335.

friendship for the republic and its people, and to fulfill its responsibilities as the friend to whom in such crises, as the present, all the world looks to guide Haiti out of its difficulties." Finally, President Wilson pleaded for the disarming of the people and supervision of elections by the United States government. Only after a constitutional government had been set up in Haiti could the government of the United States maintain its international obligations.¹.

Proposal after proposal was made to the Haitian government in 1914 and 1915, but to these suggestions of unselfish aid, a deaf ear was turned. Therefore, on July 28, 1915, Rear Admiral Caperton arrived with marines at Port au Prince. Again the people of Haiti were assured that we should retain our troops in their country only until a stable government had been established.².

With this purpose in mind, American marines have been retained in Haiti. There has been no desire to annex the island and intervention has not been for that purpose. To be sure, President Cleveland thought such an acquisition necessary because of its geographical position,³. but in 1904 and again in 1915, Haiti was definitely assured that the United States "had no designs on the political and territorial integrity of Haiti."⁴.

1. United States Foreign Relations, 1914, Page 357.

2. Senate Hearings, 1921, Part I, Page 64, and 65.

3. North American Review, 1912, Vol. 195, "A Caribbean Derelict" - W. P. Livingstone

In the establishment of law and order within Haiti during the year 1914, the American government was supported by the collective intervention of France, Germany, and England at Port au Prince. During the war, continued retention of marines in Haiti by the United States government was based upon the fear of German acquisition. Next to Cuba, Haiti was recognized as the most important strategical point to the entrance of the Caribbean, the Gulf of Mexico, and the Panama Canal. The island of Haiti had especial attraction in that it had more wealth than any other island of its size. We have definite evidence that many Germans owned valuable property in the republic, and had married into the best families. Had not America intervened in 1914, there is a possibility that Haiti would have been the base for German operations in this hemisphere.¹.

Furthermore, when in 1914 the Haitian government was desperately in need of funds, Germany offered to underwrite a loan of \$2,000.000.00 in return for the control of certain ports and customs receipts, including the right of a coaling station at Mole St. Nicholas. The report of this offer was denied by Germany but the "Wall Street Journal" did not regard this as a real denial, but as a hint that unless the United States took action at once, Germany would.².

1. Senate Hearings, Part IV, Page 1300.

2. Literary Digest, 1914, Vol. 49 - "German Intentions in Haiti" - Page 1303.

No doubt the one harsh criticism of American intervention in Haiti should be made in connection with the treaty of September 16, 1915, which the Haitian government was forced to sign. In brief, this treaty gave to the United States for ten years economic, political and social domination: in reality, the treaty signed away the sovereignty of Haiti.¹

No doubt our policy in Haiti is open to adverse criticism. The Haitians recognize that they are irresponsible and ignorant, but what they demand is that we "make good" in our control of the republic. Foreign nations have admitted that our forces must remain in Haiti until present conditions are bettered. Despite the reports which sometimes fill our newspapers, conditions are steadily improving. It must be remembered that ninety to ninety-five per cent. of the Haitian population is ignorant and illiterate, and that as a nation, as a "big brother", as the originator of the Monroe Doctrine, our duty in Haiti is to stabilize conditions politically, socially and economically, and then get out. Our actions, not our words, are judged.

The most recent case of United States intervention in this hemisphere is that in Nicaragua. The author, in spite of what the Department of State has tried to make the public believe, considers that intervention was undertaken for the purpose of protecting our land concession

1. Senate Hearings, 1921, Part I, Page 66.

which was obtained by the Bryan-Charmorro Treaty of August, 1914. It is a well known fact that not only do certain elements among the liberal class oppose this treaty, but that the Central American Court of Justice, an organization sponsored by the United States government, handed down a decision declaring the treaty invalid. Nicaragua, backed by our military and naval power, and with three millions of dollars at her feet, in payment for the land concession, refused to abide by the decision of the court.¹.

Previous to 1912, Nicaraguan finances were controlled by a small group of American speculative brokers. Since our occupation in 1912, loans have been supervised by the State Department of the United States.².

Not only have loans been supervised by the Department of State for the purpose of aiding that president or party most favorable to the American government, but in October, 1928, the United States supervised the Nicaraguan elections. This was undertaken to guarantee to the inhabitants of that country free and fair elections on the one hand, and on the other, to see to it that no man who did not favor the Bryan-Charmorro Treaty should become president.

From past experience we have discovered that only

1. Annals of the American Academy - "The Rights of Small American Nations" (Nicaragua and Colombia) Muzzy, R. H. Vol. 72, Page 173.
2. Annals of the American Academy - "The United States and Nicaragua" - Dodds, H. W. - Vol. 132, Page 141.

when peace and security are insured, is it possible for certain Caribbean countries to carry out their international obligations so that conditions will be favorable for foreign investments. When revolutions have been incited by a small group which has been exploited by a stronger and wealthier nation, then intervention has been the course to be pursued by our government in order to protect American interests. Whether it has been for selfish or unselfish reasons, we must remember that it is only natural that our government should protect its nationals wherever they may be. That our policy in the Caribbean has at times been too despotic, we cannot deny. A middle course must be adopted, a course described with full force and meaning to the words, "all nations, both weak and powerful, shall control their own internal affairs."1.

1. Wilson as I Know Him--Tumulty - Page 145.

Chapter II.

The First Period of United States Intervention in Mexico. 1825-1867

It will be noted that Spanish misgovernment of Mexico from 1513 to 1813 was responsible for so much political and social disorder in Mexico during the period 1825-1867. Shortly after the Mexican Declaration of Independence in 1813, French and English financiers, desirous of obtaining valuable land concessions in Mexico, stirred up a hatred against the United States which resulted in the Texan War of 1847-1848. Evidence shows that the United States government attempted to avert this war, and under the Polk administration pursued a policy of conciliation in an effort to adjust differences of opinion over the

Authentic material on Mexican-United States relations between 1825-1867 is rather limited. Bancroft's, Smith's, Priestly's, Ripey's, and Rives' works are the most valuable sources for this period.

Chapter II.

The First Period of United States Intervention
in Mexico, 1823-1837

It will be noted that Spanish relinquishment of Mexico from 1821 to 1823 was responsible for an early political and social disorder in Mexico during the period 1823-1825. Shortly after the Mexican Revolution of Independence in 1821, French and English ministers, desirous of obtaining valuable land concessions in Mexico, entered up a treaty against the United States which resulted in the Texas War of 1827-1828. Evidence shows that the United States Government attempted to avert this war, and under the policy of non-intervention pursued a policy of non-intervention in an effort to adjust differences of opinion over the

authorities retained in Mexico-United States relations between 1823-1825 is rather limited. However, the United States, England, France, and Russia were the most active nations for this period.

ownership of Texas. Between 1864-1867 the American Government again showed its unselfish interest in Mexico by maintaining a strict neutrality and by lending its diplomatic aid in an attempt to prevent France from continuing to dominate, illegally, the Mexican state.

To understand the causes for the Mexican situation between 1825-1867, a brief history of that Latin-American country is essential. Located as it is with its boundaries of two oceans, Mexico has offered a unique spot for the exertion of foreign influence. Revolt, characteristic of Mexico, has played an important rôle in her development. In spite of her apparent backwardness in the past, Mexico has possibilities, - possibilities which, if there were a stable government and an educated people, could be so developed as to create a country of prestige and one free from foreign interference. As Trowbridge has well asserted - "The lights are always strong, the shadows always dark."¹.

1. Trowbridge, Mexico Today and Tomorrow, Page 1.

ownership of Texas. Between 1804-1807 the American Government again showed its constant interest in Mexico by maintaining a strict neutrality and by leading the diplomatic side in an attempt to prevent France from continuing to dominate illegally the Mexican state.

To understand the causes for the Mexican situation between 1807-1808, a brief history of that Latin-American country is essential. Located as it is with the boundaries of the modern Mexico has offered a unique spot for the exercise of foreign influence. Not only characterized of Mexico, but played an important rôle in her development. In spite of her apparent backwardness in the past, Mexico has possibilities which, if there were a stable government and an educated people, could be so developed as to create a country of considerable and one free from foreign interference. As Frederick has well asserted - "The lights are always there, the shadows always dark."

The earliest Mexican inhabitants are thought to have come from the far North. Migrating south into what is now California and Mexico, they separated and formed two important tribes, the Toltecs and Aztecs. These two civilizations developed educational, military, governmental and religious institutions of an exceptionally high standard.¹.

When the Spaniards arrived in Mexico in the sixteenth century, the Aztecs, ruled by Montezuma III, formed the most powerful of the Indian tribes. Cortez, landing in 1519 at what is now the City of Vera Cruz, marched inland, and in May 1521, had Mexico City under the control of Spain. By 1535 the Spanish forces had conquered the whole of the present state of Mexico, and now began, to 1813, the exploitation of the natives of the New World, an exploitation which was to show its disastrous effects upon the political, social, and economic life of its peoples after the Mexican Declaration of Independence in 1813.

The Spanish government did not intend that anyone except those born in Spain, the Gachupines, should rule her colonies. To the Gachupines were given all the important political, social and religious offices. Although the creole, born of Spanish parents in the New

1. Bancroft, H.H. Native Races, Vol. II, Pages 91-293.

World, had as much ability and intelligence as his fellow countrymen, all social and many political aspirations were denied him. The American-born Spaniard, therefore, developed a feeling of hatred toward his government, and, when the time presented itself, was ready to shake off the yoke of Spain.

Then, too, there were the half-breeds, or the Mestizo group, who were held even more in bondage than the Creoles. To them were left the duties of servants. The Mestizo class was denied the right of owning land, of exploiting the mines, developing commerce, and holding positions of responsibility in the church or state. Such an attitude on the part of the Spanish government naturally continued the state of illiteracy among the lower classes of Spanish subjects. Indeed, there developed logically among these people jealousy and class hatred which have lasted even until today. It is still evident in the twentieth century that the lower classes of Mexicans possess the same undeveloped intellect which was theirs in the seventeenth century.¹

Not only were the Creoles and Mestizos exploited to the advantage of the Spaniard, but the native Indian became the ward and the serf to the hacendado. It was very seldom that he was able to own land, and that which he did own was heavily taxed. To be sure, many of the

1. Priestly: The Mexican Nation, Page 119.

Indians were segregated in towns to be taught the Catholic religion, and how to make a better living. But such a system failed to bring about literacy, in that the Indian was incapable of such advancement; and, since they were segregated in towns, dissension was bound to develop, thus bringing about a decay of the missionary enterprises.^{1.}

Spain, therefore, introduced into the New World an advanced European civilization which failed to take root and create harmony among all classes of people. The Spanish sought conquest and domination for their own personal economic gain without taking the natives into their organization. This unfortunate system sowed its seeds, and, no doubt, has been responsible for the creation of unstable conditions within Mexico during the 19th and 20th centuries.

It was not entirely years of Spanish misgovernment which led Mexico to revolt. Philip the Second's loss of power throughout Europe, and the defeat of the Spanish Armada were remote incentives. Added to these were the American and French Revolutionary influences, Napoleon's occupation of Spain in 1812, and the Revolution of 1820 in Spain. The Creole classes, sensing this weakening of Spanish power, and taking advantage of the fact that troubles at home were such that interest in New Spain had for the moment waned, first undertook to form secret revolutionary societies to undermine Spanish power.

1. Priestly: The Mexican Nation, Page 123.

Along with the social and political inequality was the fact that, during the Spanish régime, and indeed until today, justice had been for the few. It is a well known fact that previous to 1844 there had been no codification of Mexican law. In 1845 the head of the Judicial Department accused Congress of reducing the dignity and influence of the judges and magistrates. As far back as 1834, one of England's diplomats stated that the greatest evil in Mexico of which foreigners had to complain was "the corrupt and perverse administration of justice."¹. Why did not Congress change the laws, and why did the police of certain districts within Mexico give protection to the bandits? The answer to these questions can be found in the fear that the bandit would take revenge upon the officials of justice, once that criminal was released; secondly, that while justice was improperly administered, the greater chance was there of lining pockets with Mexican treasury receipts; and lastly, that public opinion was not educated to the point of criticism. Spain had required her subjects to think as little as possible, keep still and obey orders. The Native population was taught, with a whip at the church door, if necessary, "to fear God, priest and magistrate."².

1. Smith: The War with Mexico, Vol. I, Page 13.

2. Ibid. Page 14.

Briefly summarized, what did Mexico gain from Spanish rule previous to her declaration of independence in 1813? It cannot be denied that Spain governed Mexico efficiently. But did this efficiency include training all classes of people for later political responsibilities? Did not Spain overestimate her potential abilities? Did she not attempt to rule 19th century Mexico with 16th century methods? From a study of political, social and economic conditions within New Spain between 1521 and 1813, we can readily supply the answer. Spain had firmly established a government possessing the sole initiative; had produced friction within resulting from privilege and monopoly, and in general, had founded an ignorant and inert civilization known only "hard oppression, blind obedience, passionate feuds and gross pleasures."¹.

In 1810 separation was planned, but as the fact was disclosed to Spanish officials, the impromptu revolution collapsed. Some months later Hidalgo, a former parish priest who had been much influenced by French revolutionary propaganda, led a large band of followers in a successful battle against the Spanish troops. Hidalgo's success was not of long duration for in 1811 he was defeated and shot as a traitor. The result of this revolt was little but a record of horrors and a memory of wholesale murder. His successor, Morelos, captured most of the Mexican territory under Spanish rule, and in 1813

1. Smith: The War with Mexico, Vol. I. , Page 30.

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ment possessing the full initiative; her political system
which provided for privileges and monopoly, and in gen-
eral, had founded an important and most efficient system
only "hard application, close observation, personal study and
great discipline."

In this respect we planned, but as the fact was
disclosed to Spanish officials, the legitimate revolution
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1.
declared the independence of Mexico. Following the execution of Morelos, Iturbide, first a royalist and then a separatist, was able to defeat the Spanish forces, and, after a series of struggles, seize Mexico City in 1820. After Iturbide assumed the rôle of a dictator, the people became dissatisfied with his despotic rule and extravagance, and in 1823 compelled him to resign.

Thus in 1823 began an era of revolutions, and not until one hundred years later was Mexico able to settle down to the business of "setting her house in order." During the 19th and 20th centuries there were so many personal and factional quarrels, that each struggle left the Mexican treasury in a state of bankruptcy. Each new government repudiated the debts of the preceding one until Mexico found herself confronted with foreign intervention for the forcible collection of these loans. Since the Mexican government needed money, its valuable oil lands were sold, and that oil company which gave the greatest financial support to the government obtained the most valuable concession. Naturally this type of government benefited a few, and the lower classes found themselves living under exactly the same conditions that they had endured under Spanish rule. Mexican history, then, from 1825 on, centers about this struggle for equality, but being untrained in political, social and economic

fields of endeavor, and at no time until 1923 able to resist the dollar diplomacy of stranger nations, Mexico seethed in revolution.

Let us pause for a moment to discover just what attitude certain European nations took toward this new Latin-American nation. The first Mexican constitution was promulgated in 1825.¹ It was based upon the United States document, but backed by a full treasury of English gold.² We shall see the significance of the latter remark as we briefly trace Mexican political and economic history between the years 1825 and 1846. This period between 1825 and 1846 witnessed continual strife between those supporting a Federal type of government, and those sponsoring a central form of government. Suffice it to say that the struggle took place between Santa Anna, a popular hero, now posing as a Centralist, now as a Federalist, according to which side offered him the more support, and Guerrero, Pedraza, Zavala, Bustamante, and Flores. The aristocrats, for the first time in Mexican history, refused to participate in politics. It became more fashionable to acquire estates (haciendas) than to mingle in politics. Furthermore, this particular era of Mexican history is to be described as that of the "survival of the fittest," and the exploitation of the populace by

1. Robertson: "Latin-American Nations," Page 479.

2. Smith: The War with Mexico, Vol. I, Page 37.

those who happened to be powerful enough to seize the key^{1.}
to Mexico City, Vera Cruz.

The year 1837 proved to be the beginning of Mexican revolutionary history. The crisis developed over an empty treasury, and the resignation of the Mexican cabinet. Santa Anna, seizing his opportunity to popularize himself, stepped to the forefront, offered his services to a bewildered people, and then to the astonishment of the more conservative political groups, declared himself dictator. As supreme ruler, Santa Anna suspended all laws at his pleasure, and adopted new ones; he convoked and dissolved Congress at will; he juggled the tariff; the church was made subservient to him, and, in general, there was "no law but his own will." Finally, in January, 1845, the people no longer trusted him, and as a consequence, he fled from Mexico City and in later years was banished. Smith very well characterizes this popular idol of the masses as being a charlatan; though head of the army, he knew no military science; though head of the nation, he was not a statesman. "By right of superiority, and by right of conquest, Mexico was his."^{2.} It is well to keep this characterization in mind in that it best describes those leaders who from this period on dominated Mexico.

The United States government sent its first minister

1. Rives, G.L. U. S. and Mexico, Vol. I, Chap. VII.

2. Smith: The War with Mexico, Vol. I, Page 54.

to Mexico in 1825. Immediately, problems arose which were caused by the sending of a protestant to a Catholic country; by the aristocrats who wanted a king; by the enforcement of the Monroe Doctrine; and lastly, by combating the enormous political and financial influence which Great Britain exerted over Mexico.

The first diplomatic question of any seriousness, in which the United States became involved, was over the disputed boundary line between Mexico and the United States. By the treaty of 1819 with Spain the American government agreed to relinquish all rights to Texan territory west of the Sabine River.^{1.} Our minister to Mexico attempted, in 1825, to get the Mexican authorities to ratify this treaty. As Obregon, then President of Mexico, was not ready to act upon the treaty, the boundary question remained unsettled. Immediately the Mexicans accused us of stalling in order to seize Texas. For the first time Americans were under suspicion, this attitude of mind being one reason for the misunderstanding which so rapidly developed between the two neighbors during the 19th century.^{2.}

The Texan situation came to a climax in 1835 when the inhabitants of Texas severed relationship with Mexico. Just what were the reasons for this separatist movement?

1. Priestly: The Mexican Nation, Page 277.

2. Smith: The Mexican War, Vol. I, Pages 60 and 61.

In 1821 Moses Austin went to Mexico and obtained from President Iturbide the right to colonize Texas.^{1.} The Texan colony and the Mexican government were on friendly terms until 1830 when the latter passed a law prohibiting slavery as well as making provisions for Mexican colonization in Texas. In 1834 the Mexican government took drastic steps to prevent the development of self-government in Texas by dissolving state and national congresses. Immediately independence was sought, but although Santa Anna was compelled, through defeat, to sign a treaty granting independence, the Mexican government never recognized the validity of it. Naturally the Mexican government accused the United States of encouraging the Texan revolt, but Smith produces definite evidence to show that when the British minister told Santa Anna that the United States had done all it could to prevent the rupture, the Mexican government^{2.} agreed.

During the year 1836 the boundary dispute became even more acute when the Mexican government refused to live up to its part of the treaty of 1831 by which the two nations agreed to coöperate in quelling all Indian attacks^{3.} on either side of the Sabine River. As a result of Indian

1. Rives, G.L. The U. S. and Mexico, 1821-1848, Vol.I, Page 141.

2. Smith: The Mexican War, Vol. I, Page 63.

3. Moore, J.B. Digest of Internal Law, Vol.V, Page 778.

attacks, United States forces were sent to the west bank of the Sabine River, and, when Indian raids became more serious, American soldiers pursued the Indians into Mexican territory. Thus, for the first time, United States soldiers invaded Mexico. Much criticism of the American policy was expressed, but it was justified in that international law recognizes the right of another nation, in the interests of "self-preservation," to invade a neighboring state when that state fails to administer its laws in such a way as to prevent private persons from arming upon its soil for the purpose of invading a neighboring state. When a state fails to prevent an invasion after due warning has been given that it will not be tolerated, then the threatened nation may mass its troops along the frontier, and even pursue the offenders into neighboring territory.^{1.}

Immediately after the United States forces invaded Mexico, the Mexican minister asked for his passports. The following year, 1837, Texan independence was recognized by the United States government.

Santa Anna, in 1842, rekindled Mexican-United States enmity, and at his instigation, invasions into Texan territory occurred. As a result, many citizens of the United States, fearing British action against the United States,^{2.} migrated to the field of combat. The question may be

1. H. Taylor: International Public Law, Page 405.

2. Smith: The War with Mexico, Vol. I, Page 67.

asked, as to why and how England gave moral support to Mexico as against the United States? In the first place England desired to retain a monopoly of her financial interests in Mexico; and she feared that American financial aggression and domination would become more pronounced if we took Texas. Indeed, Lord Aberdeen expressed a desire to see Mexico acknowledge the independence of Texas, believing that France would follow in recognizing Texas as a nation and that such recognition would guarantee the sovereignty of Texas, as well as create a buffer state^{1.} between the United States and Mexico.

How did England, in the second place, morally aid and promote the struggle? English newspapers pointed out that "the soldiers of the tri-color are superior to those of the United States". "America as an aggressive power is one of the weakest in the world, - fit for nothing but to fight Indians."^{2.}

Spurred on by England's misleading statements, and by propaganda successfully spread by vainglorious and ambitious rebels among an ignorant class of people, on the one hand, who were made to feel the dangers of conquest by the United States, and on the other hand, by the aristocratic class who feared American democratic ideas, Santa Anna, in June 1843, decreed that all foreigners caught

1. Smith: The Annexation of Texas. Page 389.

2. Smith: The Mexican War, Page 103, 104.

bearing arms in Texas should be executed.

In reply to this mandate, the United States Secretary of State Webster replied that, inasmuch as during the American Revolutionary War, German and French citizens when captured were treated merely as prisoners of war, so should we expect Santa Anna to treat our citizens.^{1.}

It can be plainly shown that during this critical period, between 1842 and 1846, the United States government did all within its power to prevent the Mexican War. When on May 12, 1842, the Mexican government protested against aid which our citizens gave the Texans in the latter's struggle for independence, Webster replied emphatically that our policy of neutrality would continue.^{2.}

Again in 1843, the United States Secretary of State attempted to obtain Texas through peaceful methods, and offered an indemnity for its annexation.^{3.}

Even after Mexico severed relations with the United States, after the latter had annexed Texas in March 1845, President Polk notified the Mexican government that our policy would continue friendly, and that we should coöperate to restore order. Again liberal terms were offered for the acquisition of Texas.^{4.}

1. Smith: The Mexican War, Page 70. (Vol. I)

2. Smith: The Mexican War, Vol. I, Page 68.

3. Ibid. Page 74.

4. Ibid. Page 88.

Finally, in 1845, President Polk sent Slidell as a special representative to Mexico in order that he might be in there to facilitate matters when circumstances should warrant a peaceful adjustment of the boundary and annexation questions.^{1.} Just at the moment when it appeared that a treaty settling the difficulties might be signed, President Herrera was accused of "seeking to avoid a necessary and glorious war," and of stooping to negotiate "the ignominious loss of national integrity" with an American army.^{2.} So eager had the Mexican liberals become for war, that nothing could be done to prevent it. European and rebel propaganda had been most effective! Only a few shots and the Mexican army would be victorious! "Here stood an American minister," answered Slidell, "clothed with full power to settle all the questions in dispute between two nations." "Begone," said Mexico, once more.

In December 1847, war was begun between the two competitors for Texas. Mexico was clearly the aggressor in that war. The leader of the Mexican forces, Orista, made note of the fact in his statement, "I had the pleasure of being the first to begin the war." To be sure, President Polk had already sent troops along the Rio Grande border, but "the American forces did not advance

1. G. B. Stuart: Latin-America and United States, Page 96.

2. Ibid. Page 99.

Finally, in 1940, President Folke sent Ellsberg as
a special representative to Mexico in order that he might
be in there to facilitate matters when circumstances
should warrant a change of adjustment of the country and
annexation questions. That at the moment when it ap-
peared a treaty settling the difficulties might be signed,
President Folke was anxious to "standing to avoid a neces-
sary and expensive war," and of attempting to negotiate "the
symptoms of a national integrity" with an American
party. He offered the Mexican liberals a new form of
the nothing would be done to prevent it. However, and
such programs had been most effective. Only a few
about the Mexican army would be victorious. "There
stood an American minister," answered Ellsberg, "collected
with full power to settle all the questions in dispute be-
tween the nations." "George," said Folke, "and more."
In December 1941, when war began between the two na-
tions for Latin America, Folke was clearly the aggressor
in that war. The leader of the Mexican forces, Ellsberg,
made note of the fact in his statement, "I had the plea-
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I. O. B. Stewart: Latin-American and United States, Page 25.
P. 1911. Page 27.

to the Rio Grande until after war became inevitable, and then only as an army of observation."^{1.}

Furthermore to Admiral Conner, commanding in the Gulf, the Secretary of the Navy wrote in March 1845, "The disposition of the President is to maintain the most friendly relations with the Mexican Republic." "Take special care," the department said to Stockton, who had a few vessels on the Texas coast, "to avoid every act that can admit of being construed as inconsistent with our friendly relations."^{2.}

It is noticeable that the United States did all it could to promote peace. It is not necessary to discuss the merits of those arguments so often advanced that Americans brought about the war because they wanted Texas. Sufficient evidence has been produced to refute the claim that President Polk desired war to annex Texan territory. In spite of the clamor in the South for war, in August 1845, Polk wrote confidentially to a Senator, "We will not be the aggressors upon Mexico."^{3.}

Again, the government's act in annexing Texas in 1845 has often been unjustly criticized. Who brought about the independence of Texas? Is not "self-determination"

1. Quoted by J. H. Smith, The Mexican War, Vol. I, Page 155.

2. Quoted by Smith, The Mexican War, Vol. I, Page 131.

3. Ibid, Page 131.

to the Rio Grande until after war had been declared, and
 there only as an army of occupation."¹
 Furthermore to admit Texas, according to the
 Bill, the Secretary of the Navy wrote in March 1845, "The
 disposition of the President is to maintain the most friendly
 relations with the Mexican Republic." "They agreed
 that," the Department said in December, "and in the year
 when the Texas coast," "it is every day more and more
 of being considered as the property of the United States."²
 It is noticeable that the United States did not
 claim to possess Texas. It is not necessary to discuss
 the merits of those arguments as often advanced that
 Texas brought about the war because Texas wanted Texas.
 Historical evidence has been produced to refute the claim
 that President Polk desired war to annex Texas territory.
 In spite of the claim in the "Texas Almanac," "It will not
 be the agreement upon which."³
 Again, the Government's act in annexing Texas in
 1845 has often been unjustly criticized. The present about
 the independence of Texas is not "anti-Americanism."

1. quoted by F. H. Smith, The Mexican War, Vol. 2, page 125.
 2. quoted by Smith, The Mexican War, Vol. 1, page 125.
 3. Ibid., page 121.

one of the recognized principles of international law? Mexico, economically, socially and politically unstabilized, attempted, half-heartedly, to control Texas. Texan and Mexican interests were not identical. In the one state there was an intelligent people, desirous of pursuing peaceful occupations; in the other, a large majority of illiterate natives and leaders were clamoring for excitement and political control which could result in nothing but a continued state of revolution. After nine years of independence, self-government, and recognition by several foreign states, was it not legitimate for Texans, dissatisfied with the administration of their own affairs, to ask for annexation to the United States? It is the opinion of the author that Mexico had no grounds for the declaration of war against the United States in 1846, in that the principle of "self-determination" had settled the question of the legality of Texan independence. It is to be recognized that the United States government did all within its power to obtain Texas through peaceful acquisition, and lastly, that having been invited by the inhabitants of that territory to annex it, we were justified under international law in doing so.

The decade following the treaty of Guadalupe
^{1.}
 Hidalgo (1848) by which the United States acquired some half million acres of territory, was marked by continued

1. Rives, G.L. The U. S. and Mexico, 1821-48, Vol.II, Chapter XLIX.

strife and turmoil in Mexico. Again, there ensued a struggle between those desiring centralization on the one hand, and those striving for a federal form of government. The new constitution of 1857^{1.} which was based upon that of the United States, only brought about a renewal of the conflict, and this civil war in turn was an immediate cause of European intervention, and the creation of the Maxamilian Empire in Mexico.

Let us pause a moment to consider the reasons for this period of civil strife between 1859 and 1860, and to see why European nations, namely Spain, Great Britain, and France, were interested in this Latin-American country. In the first place the constitution of 1857 was too conservative for a radical and rebellious people. There is no doubt that, had the Mexicans accepted this document, and helped to enforce its provisions, Mexican history would have been less turbulent. But as has been pointed out before, the lower classes of people did not, because of the lack of education, understand the purposes of government. It is always best to educate the people of a nation before granting constitutional privileges. Then, too, Mexico was a country of landless natives. Large estates had been accumulated by the wealthy, and the mestizo and peon had the choice of serfdom, or shifting for themselves. Many of the lower classes, feeling the injustice of such a sys-

1. W. S. Robertson, Latin-American Nations. Page 488.

tem, fled to the mountains and joined charlatans who led these dissatisfied peoples in revolt. Lastly, the constitution of 1857 deprived the Catholic church of its former glory and prestige. One of the articles provided that no ecclesiastical corporation should have the legal capacity to acquire real estate, "except such buildings as might be necessary for the service of the respective corporation."¹ Furthermore, the constitution failed to recognize Roman Catholicism as the sole religion of Mexico.¹

In the light of past and present Mexican history, it is a recognized fact that the Mexican creole and peon are very devout. When he was deprived of his daily sustenance, and his only hope, because religion in reality is the spiritual food of the Mexican, revolt became frequent. Even today, conditions are not dissimilar.

On the other hand, the constitution was too liberal for the conservatives. It granted freedom of petition, speech, and the press, and it prohibited confiscation of property. Besides, it provided for civil, criminal and military courts; and justice was to be fairly administered. The result was a struggle between the liberals and conservatives, in which the liberals were defeated, and the constitution was withdrawn by the conservatives. There now entered upon the scene of action another faction

1. W. S. Robertson, Latin-American Nations, Page 488.

the, tied to the narrative and joined operators who had
these characterized people in terms. Finally, the con-
sideration of 1939 defined the Catholic Church of the
former right and present. One of the articles provided
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it is a recognized fact that the Mexican people and people
are very young. When he was born of his father and
ancestors, and his only hope, Mexico's religion is mostly in
the spiritual food of the Mexican, which means progress.
Even today, religion is not obsolete.

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property. Religion, it provided for civil, political and
military control and religion was to be fairly treated.
The result was a struggle between the liberals
and conservatives, in which the liberals were defeated,
and the constitution was withdrawn by the conservatives.
There was created from the house of religion another faction

which, on the one hand, opposed the anti-religious program of the liberals led by Juarez, located at Vera Cruz, and the conservative landed gentry which was in control of Mexico City. This triangular struggle, known as the War of Reform, ended in 1860 when Juarez defeated the other two factions, and this champion of the constitution and religious reform triumphantly entered Mexico City.^{1.}

Juarez's reforms were the undoing of Mexico. In the first place, he ordered that diplomats from Spain, Guatemala, Ecuador, and the Roman Catholic church be expelled from Mexico because of aid which they had given to the conservative class; secondly, his program called for the expulsion of certain high church officials; and lastly, he suspended payments on all foreign loans for a period of two years.^{2.}

Because of Juarez's anti-religious program, Spain in 1858, threatened to intervene. The United States Secretary of State, Cass, announced that we would resist such intervention "by all the means in our power."^{3.} Likewise, Great Britain, in 1859, made it known that she was about to send a fleet to Vera Cruz to collect payment on loans due her. The United States government

1. H. I. Priestly, The Mexican Nation, Page 338.

2. W. L. Robertson: The Mexican Nation, Page 492.

3. Moore's Digest of International Law, Vol. VI, Page 477.

which, on the one hand, opposed the anti-religious program
of the liberalist list of 1902, founded at Vera Cruz, and
the conservative landed gentry which was to control it.
This struggle, known as the war
of reform, ended in 1910 when Mexico defeated the forces
of reaction, and this triumph of the revolution led
religious reformers to finally achieve their aim.

Liberal reforms were the impetus of Mexico. In the
first place, he ordered that religious freedom, which
was, according to the Roman Catholic Church, be applied
to all religious bodies of all kinds that they had given to the
country since 1802; secondly, his program called for the
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of two years.

Reforms of Mexico's anti-religious program, which
in 1902, represented by liberalism. The United States had
reacted to this, and, according to the world's view
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war about to begin a threat to Vera Cruz to collect pay-
ment on loans due here. The United States government

1. Liberalism, The Mexican Revolution, 1902-1910.
2. V. E. Howard, The Mexican Revolution, 1902-1910.
3. Mexico's Struggle for National Independence, 1902-1910.

promptly replied that such intervention would be against the policy of the United States.^{1.}

Again in 1860, Great Britain, under the pretext of debt collection, appealed to the United States to intervene jointly with her and France in order to quell the civil war in Mexico. To this the American government replied, "We are opposed to any interference, especially with joint interference, of other powers in the domestic affairs of an independent nation."^{2.}

Unable to obtain the consent of the United States government to intervene, the three powers, Spain, France and Great Britain, signed the Treaty of London on October 31, 1861, whereby the three nations were to occupy portions of the Mexican coast in order to enforce payments on loans due their respective citizens. The treaty stipulated, however, that the autonomy and integrity of Mexico should be respected. It is of interest to note that the French claims, according to Juarez, amounted to the sum of \$2,860,762; the British, \$69,994,542; and those of Spain \$9,460,986.^{3.}

Just what attitude did the United States government

1. Moore's Digest of International Law, Vol. VI, Page 479.
2. Martin, C.E., Columbia University, Studies in History, Economics and Public Law, Vol. XCIII, Page 40.
3. H. I. Priestly: The Mexican Nation, Page 342.

generally replied that such intervention would be against
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claim, according to their, amounted to the sum of
\$2,500,000; the British, \$250,000; and those of Spain
\$2,400,000.

That year's assistance did the United States government.

1. Moore's Journal of International Law, Vol. VI, Page 47.
2. Hurd, C.E., University of Chicago Law School,
International and Public Law, Vol. VIII, Page 40.
3. W. L. Webster, The Mexican Question, Page 100.

take toward this new scheme of collecting debts? On September 2, 1861, the United States government, at the instigation of President Lincoln, offered to loan Juarez sixty-two million pesos at six percent interest. Our government in turn agreed to pay three percent interest on the total amount of money due European governments, covering a five year period. This loan was to be backed by the public lands of the Mexican government.

Possibly President Juarez would have been willing to borrow the money had not the church and privileged classes, which desired intervention, refused to ratify the treaty. The fact has already been mentioned that the constitution of 1857, as enforced by Juarez, opposed the special privileges of both of these classes of people. It is to be noted that the clergy and landed gentry did not disfavor the establishment of a monarchical form of government, since this type of government would restore to them rights which they had enjoyed previous to 1857.

It is possibly just as well that the Mexicans did not accept Lincoln's proposal in that the government at Washington needed every cent which it could scrape up to carry on the Civil War which was raging in the United States at that time. As a result of the Civil War, the United States did not take an active part in the prevention of foreign intervention until 1865. It was our policy to

allow Spain, France, and England to land troops on Mexican soil, just as long as it was for the purpose of collecting just debts, but selfish aims were not to be tolerated.^{1.}

As early as 1861, before France intimated that her policy in Mexico would be one of colonization, Secretary of State Seward wrote to Mr. Dayton, our minister to France, asking him to warn France that "We, (United States) have more than once informed all parties to the alliance (the Treaty of London) that we cannot look with indifference upon any armed European interference for political ends in a country situated so near and connected so closely as Mexico."^{2.}

To this France replied that she considered she had the right to intervene for the redress of injuries, and challenged the United States to make objection. Seward then answered, "the United States recognizes the right of France to make war against Mexico, and to determine for herself the cause."^{3.}

As a final warning to France, on June 21, 1861, Seward sent the following message,- "We have the right to insist that France shall not improve the war she makes to raise up in Mexico an anti-republic, or anti-American government, or to maintain such governments."^{4.}

1. Priestly: The Mexican Nation, Page 348.

2. Quoted by George Creel, The People Next Door, Page 249.

3. Ibid, Page 249.

4. Ibid, Page 249.

In December 1861, France, Spain, and England landed 9,000 men at Vera Cruz. When France proposed the establishment of a foreign government in Mexico, Spain and England withdrew their forces. Napoleon III clearly designated his ambitions in Mexico when he said, "We shall have restored to the Latin race upon the opposite side of the ocean, its strength and prestige; we shall have guaranteed the security to our colonies in the Antilles, and to those of Spain; we shall have established our beneficent influence in the center of America, and this influence, by creating immense openings to our commerce, will procure for us the matter (cotton) indispensable to our industry."¹.

Again on July 3, 1862, he informed the French General, Forly, that France could not sit by and see the United States "become the sole master of the New World."

Napoleon's scheme of a World Empire was well under way when an Assembly of Notables met in Mexico City on July 10, 1863. General Almonte, a Mexican aristocrat, sponsored a treaty between France and Mexico, whereby the Mexican nation adopted "a monarchical, temperate and hereditary form of government, under a Catholic Prince who shall have the title of Emperor of Mexico."².

Immediately after the conclusion of this treaty,

1. Quoted by George Creel. The People Next Door, Page 226.

2. S. Schroeder: Fall of Maximilian's Empire - As Seen from a United States Gun-Boat, Page 4.

Foreign Minister, M. Drouyn de l'Huys, intimated to our minister to France that an early acknowledgement of the proposed Empire by the United States would be most convenient to France in relieving the troublesome complications in Mexico. Secretary of State Seward told our Minister to France to inform Napoleon that the United States still considered the Mexican government not subservient to a foreign power, and as such we should still retain a relationship of peace and sincere friendship toward the Mexican people and President Juarez.^{1.}

Again on April 4, 1864, the United States House of Representatives voted a resolution emphasizing that it was not the "policy of the United States to acknowledge any monarchical government erected on the ruins of any republican government in America under the auspices of any European power."^{2.}

In spite of the warning of the United States government that the establishment of a monarchy in this hemisphere would not be tolerated, and in spite of the well known phraseology of the Monroe Doctrine as issued in 1823, but not directly implied by Seward's warning to France in 1864, on June 12, 1864, a nephew of Napoleon III, Maximilian, was established upon the throne of Mexico. Supported by

1. S. Schroeder: Fall of Maximilian's Empire - As Seen from a United States Gun-Boat, Page 5.

2. Quoted by W. S. Robertson, Hispanic American Relations with the United States, Page 103.

thirty thousand French soldiers, creating for Mexico a debt of \$56,000,000, and borrowing on his own account \$40,000,000 more from London and Paris, Maximilian triumphantly entered Mexico City as the puppet of the clerical party and landed gentry.

No sooner had the Emperor been declared sovereign ruler of Mexico, than Papal legates appeared in Mexico City to request that the Catholic church be restored to its former glory and supremacy. Much to the surprise of those who had supported Maximilian in the hope of witnessing the restoration of Papal power, the Emperor replied that both the sovereign ruler and the Pope were "absolute in their respective limits. Between the two there can be no subjection."¹ The Mexican clerics and aristocrats were informed that Juarez's anti-religious program as instituted in 1857 should remain in force. This "tinsel drama" had received its first blow!

The entire situation changed in April 1865 after the defeat of Lee at Appomattox Court House. On October 3, Maximilian issued a decree that henceforth all republicans were to be executed as criminals.² Immediately the United States flamed into fury. General Grant supported General Schofield's plan of sending 60,000 men to fight under the deposed flag of Mexico. Indeed, Schofield

1. George Creel, The People Next Door, Page 233.

2. Ibid, Page 238.

forwarded 30,000 muskets to Juarez. Mexican republicans welcomed our attitude, and with much gusto, invited Americans to join the Mexican ranks. President Johnson approved of this invitation, but Seward, more conservative, and feeling that diplomatic pressure might be just as effective in ousting the French, demanded that Napoleon III evacuate Mexico at once. Seward had filed away in the State Department archives the pledges which France had made and broken. He now brought them to the attention of the French government, and his policy was most effective.

Maximilian, seeing the eventual collapse of his Empire, sought to regain the confidence of the aristocratic and Catholic elements by restoring the Papal authority throughout Mexico. But Maximilian was unable to secure the financial and military support of Napoleon, who now heeded the warning of the United States government. Moreover Napoleon needed his money and troops in Europe. Unable to get the necessary support of his uncle, Maximilian, who had spent three times his revenue from Mexican taxes, and now had fewer men in his army than his opponent, Juarez, suffered defeat in March 1865. President Juarez in answering those who opposed the execution of Maximilian, stated, "The death of Maximilian is the death of the spirit of intervention, which under leniency, will revive again and organize new armies against Mexico."¹.

1. George Creel. The People Next Door, Page 246.

The period 1825 to 1865 marked an attempt on the part of the United States to promote most friendly relations with Mexico. In the first place the American government did everything it could to prevent the Mexican War of 1847. Ambassadors were sent to Mexico city clothed with absolute power to adjust the Texan dispute; money was offered as compensation for that territory which the inhabitants themselves had determined should be annexed to the United States. Mexican leaders unjustly allowed their subjects to think that they could defeat the United States. Even after the war our government dictated most liberal peace terms to Mexico. What nation previous to 1847 had so liberally treated a conquered nation?

In the second place, it cannot be contended that United States diplomatic intervention in Mexico as against French aggression was utterly contrary to international law. The United States government sanctioned foreign intervention for the collection of debts, a right frequently exercised by nations, but not for the fulfillment of selfish aims. France had made certain pledges, both in the London treaty of 1861, and at other times, distinctly stating that intervention should respect the "Autonomy and integrity of Mexico."

Napoleon had not only broken these sacred pledges, but had disregarded the Monroe Doctrine. It must be under-

stood that Seward did not mention the phrase "Monroe Doctrine" when he warned France regarding illegal intervention. It was not necessary that he should. France had violated all for which international law stands. But it cannot be denied that the theory of the Monroe Doctrine was implied. Indeed Seward's warning to England, Spain and France conforms to Monroe's doctrine,--"It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness..... It is equally impossible that we should behold such interposition in any form with indifference."¹.

1. Quoted by Alvarez, The Monroe Doctrine, Page 553.

Chapter III.

The Foreign Exploitation of Mexico.

1878 - 1917

It is only logical in the light of past Mexican history, that the period immediately following the death of President Juarez in 1872 should have been decidedly turbulent. It seems to have been the lot of the Mexican people to witness the overthrow of a well established constitutional government by a revolutionary leader whose army out-classed, in strength and numbers, that of the regular army. As at the present time certain rebel leaders are attempting to overthrow all that has been accomplished since 1917, so in 1872 did Lerdo de Tejada succeed in repudiating the constitution of 1857 which Juarez swore to support. But there appeared a man destined to rule Mexico for a period of thirty years, Porfirio Diaz, and under his regime an invitation was extended to foreign nations to develop Mexico. American financiers taking advantage of this invitation to exploit Mexican natural resources, demanded that the American government recognize Diaz. Thus in the latter part of the nineteenth century our State Department adopted a new

diplomatic policy toward Mexico, which in the twentieth century, under the administrations of Presidents Wilson, Harding, and Coolidge, was decidedly dictated by American financiers. Diplomatic and military intervention in favor of "big business" interests became a most necessary element in our attitude toward the recognition of newly "elected" Mexican presidents.

After the withdrawal of the French troops from Mexico in 1867, the United States no longer continued in that sphere its previous policy of territorial expansion. As Seward well expressed it, my "compatriots had come to value the dollar more, and dominion less." Economic penetration or economic "infiltration" was to be launched as a new policy, to be peacefully administered, yet directed against the already stirred up hatred of Mexicans for foreigners. Before this exploitation of Mexico had begun in 1884 what was to be the American policy? No sooner had Juarez returned to Mexico City to resume his duties as president than the northern districts demanded his removal. Secretary of State Seward determined that the United States should aid Juarez to retain his office, even to the extent of sending a portion of the American army into Mexico. In making this announcement, Seward informed the Mexicans that it was our future policy to see their country relieved from foreign oppression, and to support that form of government set up by the people, free from both foreign and

United States dictation.^{1.} For the first time since 1825 liberal Mexicans considered that the safety of their nation depended upon friendly coöperation with the United States. Indeed, Juarez went so far as to state that the success of the Union depended upon the mutual sympathy and moral support of Mexico and the United States; that the policy of non-intervention had "proved the salvation of our country."^{2.}

Unfortunately, the good relationship between the two countries was not destined to be of long duration. From 1868 to 1877 a series of border troubles and irritations led to a near war. The trouble centered about a clause in the treaty of 1857 between the two powers, which had created a "free zone" six to eight miles in width along the Mexican side of the Rio Grande. Into this free area, Mexican and United States products should be shipped without the usual customs duties. But United States officials complained of the fact that Mexican customs officers did not coöperate to prevent the smuggling of foreign goods into this zone, and thence into the United States. In 1868 the United States government asked the Mexican Congress to agree to dissolve the "free zone" but, fearing the antagonism of the northern states the Mexican Congress refused.

1. Rippey, The United States and Mexico, Page 276.

2. Rippey, The United States and Mexico, Page 279.

United States division. For the first time since 1945
liberal elements considered that the safety of their nation
depended upon friendly cooperation with the United States.
Indeed, they went so far as to state that the success
of the United States upon the mutual security and peace
support of Latin and the United States; that the policy
of non-intervention had "proved the wisdom of its
character."

Consequently, the kind of political process and the
conditions were not destined to be of long duration. From
1955 to 1957 a series of political revolutions and revolutions
led to a new order. The struggle continued about a decade in
the course of 1957 between the two groups, which had opposed
a "free zone" and in which there is still some of the
side of the new order. From this time, Mexico and
United States projects should be continued with the usual
business decision. The United States officials are charged with
the task that Mexican citizens should not be considered
to prevent the smuggling of foreign goods into the zone,
and remain from the United States. In 1958 the United States
government and the United States to enter an alliance
the "free zone" and, thereby, the responsibility of the country
under the United States control.

1. History, The United States and Mexico, 1945-1957.
2. History, The United States and Mexico, 1958-1960.

The revenue dispute was soon overshadowed by border raids into Texas by certain Mexican Indian tribes. In spite of the attempt of the United States troops to quell these Indian attacks, the raids became more numerous, and the thefts of cattle greater. Finally, in 1872 Congress appointed a committee of investigation. This prompted the Mexican Congress to pass a similar act. Upon the return of the Congressional Committee to Washington, a report, most glowing, but frightful in terms, was presented. The committee indicated that 25% of the hides exported from Mexico contained on them the print of Texan brands, and that another 25% showed evidences of brands being defaced. It was estimated that damage to American property in the past few years had amounted to \$27,000,000.^{1.}

It is interesting to note that the Mexican commission reported that American Indian raids had taken place in Mexico; that Texan cattle thieves had stolen cattle in the northern districts; that Mexican Indians had been incited by Americans to invade Texan territory, and finally, that the American financial claims were exaggerated. In conclusion the Mexican government suggested that both nations patrol the border instead of leaving it to state legislation.^{2.} It is the opinion of Rippey that both

1. Rippey, The United States and Mexico, Page 286.

2. Ibid. Page 287.

The present situation in the country is very serious. The government has been unable to maintain law and order, and the people are suffering from the consequences. The situation is very grave, and it is necessary to take immediate action to restore peace and stability. The government has been unable to maintain law and order, and the people are suffering from the consequences. The situation is very grave, and it is necessary to take immediate action to restore peace and stability. The government has been unable to maintain law and order, and the people are suffering from the consequences. The situation is very grave, and it is necessary to take immediate action to restore peace and stability.

nations exaggerated their claims, and that the belligerent attitude of the two powers was the result of a reconstructive period after the Texan and French wars.

In spite of a more efficient patrol of the border by armies from Mexico and the United States, conditions along the frontier did not materially improve. Indeed, in 1873 Colonel MacKenzie, while pursuing native Mexican Indians, penetrated into Mexican territory. It has been a much disputed fact as to whether the United States government sanctioned this raid. On January 16, 1873, however, Secretary of State, Hamilton Fish, noted that it was necessary, in that the Mexican government seemed "so powerless to prevent the Indian raids," and since the coöperation of the Mexican government could not be obtained, there was "no other alternative than to endeavor to secure quiet on the frontier by seeking marauders and punishing^{1.} them."

It is not necessary to go further into the question of Mexican - United States relations during this period of successive raids, congressional investigations, and sending of United States forces into Mexico. It is sufficient to note that when the crisis was reached in February 1876, Porfirio Diaz crossed from Texas into Mexico, and

1. Rippey, The United States and Mexico, Page 289.

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his entrance into Mexican politics marks an era of better understanding. The Hayes administration was constantly prevented from going to war with Mexico, because, on the one hand, United States senators noticed Diaz's ability to get support and to obtain what he wanted, and, on the other hand, American financiers were promised, if he became president, equally as good concessions as had Great Britain obtained in the past.

However, President Hayes was not to give Diaz immediate support or recognition unless he guaranteed "the preservation of peace, and order and the protection^{1.} of life and property on the frontier." Furthermore, the price of recognition would only be based upon equal concessions to American financiers. Diaz was informed that we would no longer be subjected to concessions which were not equally as good as other foreign nations had obtained. The United States government being more or less assured that our rights would be protected under his régime, de jure recognition was extended, April 9, 1878.^{2.}

Further raids in November 1878 produced a final crisis. The United States government warned Mexico "that all indications point toward a growing bitterness of feeling toward the United States, and a general belief that

1. Rippey, The United States and Mexico, Page 298.

2. Priestly, The Mexican Nation, Page 377.

a war between the two countries is almost inevitable .

Meanwhile the "foxy" and diplomatic Diaz who had already become provisional president, and who had been warned by the Mexican Congress not to negotiate with our government, took upon himself the powers of a dictator, and granted most friendly concessions to American financiers. His treatment of our citizens, desirous of obtaining financial plums, was so friendly that they returned to the United States praising Diaz to the high Heaven. The result was that President Hayes was practically compelled to call a special session of Congress in October, 1877, and Congress quizzed the Secretary of Foreign Affairs, Evarts, the Secretary of War, and even our Minister to Mexico, Foster, was requested to appear at the investigation proceedings. Foster supported Diaz, and even charged that the administration's policy was so severe that it was ruining our commerce. It was plainly shown that the Mexican government was trying to quell Indian raids, but could not.

Events moved rapidly, and on April 25, 1878, Hayes supported the Ord resolution which gave the War Department the right to patrol the Rio Grande frontier with five thousand soldiers.^{1.} The Mexican Congress demanded the repeal of the act as it violated the sovereign rights of

1. Rippey, The United States and Mexico, Page 307.

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Mexico, and threatened invasion. Indeed, on September 15, 1878 the war note was struck at the National Theatre in Mexico City when the audience demanded "war;" "death to the Americans." Finally, in February 1880, Hayes repealed the Ord act.

Diaz had paid for his recognition and the Mexican people were to suffer. Except for a period from 1880 to 1884 he was virtually a dictator of Mexican destinies for thirty years. Diaz came into office on the wave of enthusiasm, and it was destined that he should lose office because he had failed to live up to his promise to grant freedom of election to his subjects. During his eight terms as president, the Mexican Republic reached a remarkable level of prosperity. But that level was reached at a tremendous cost to the citizens of that country. Instead of relieving the agrarian situation, Diaz made it worse. It will be remembered that Mexico always had been owned by haciendados, and the period 1884 to 1911 was no exception. Concession after concession was granted to United States, British, French, German and Dutch companies. Not only did Mexico find her natural resources controlled by foreigners, but large areas of valuable agricultural and

timber lands as well. By successive acts in 1884, 1892 and 1906 the old policy of government-owned natural resources and sub-soil products was repudiated. The three legislative acts stated that petroleum "was the exclusive property of the owner of the soil."¹.

With one firm hand, Diaz suppressed insurrections in Mexico and with the other, welcomed foreign capital. In 1901 a veteran oil prospector from the United States, Edward L. Doheny, began to drill wells and thus oil speculation in Mexico by Americans began. The Mexican government leased Doheny some 475,000 acres and it is estimated that in 1910 that one of his wells, obtained from a land lease in 1901, produced 25,000 barrels a day. Mr. Doheny pointed out the advantage of owning extensive areas in Mexico when he stated that a California oil well, at the most, produced only 600 barrels.².

In order to encourage investment in Mexico, Diaz offered tax remissions for fifteen to twenty years. As a result investments were estimated in 1911 as follows: British \$321 million; French \$143 million; United States \$1,058 million; Mexican \$793 million; all others \$119 million.³. By 1911, then, Mexicans owned less

1. Secretaria de Industria, Comercio y Trabajo, The Mexican Petroleum Law, Page 7.

2. Nearing and Freeman - Dollar Diplomacy, Page 86.

3. Ibid Page 85.

timber lands as well. By 1900 the policy of government-owned timber
and 1900 the policy of government-owned timber
resources and timber production was established. The timber
legislative work started after 1900 was the expansion
property of the owner of the land.

With the first law, the timber industry
in Mexico and with the other, timber production
in 1901 a variety of timber from the United States
Edward E. Johnson, began to build wells and other oil
production in Mexico by an oil company. The timber industry
must have been about 100,000 acres and it is estimated
that in 1910 the oil wells, obtained from a land
law in 1901, produced 10,000 barrels a day. Mr. Johnson
noticed that the situation of timber production was in
Mexico when he stated that a timber oil well, at the
time, produced only 500 barrels.

In 1911 a timber investment in Mexico, Oiler
offered an investment for timber in every state. As
a result investments were received in 1911 as follows:
British 500 million; French 500 million; United States
500 million; Mexican 500 million; all others
500 million. In 1911, the timber industry was

1. Timber production in Mexico, 1911-1912.

2. Timber production in Mexico, 1913-1914.

3. Timber production in Mexico, 1915-1916.

than one half of all its natural resources, railroads and lands. In 1926 ex-President Calles noted that Mexicans owned less than one third of all its riches (\$1,500,000,000) and that 60% of this one third was in the hands of the Catholic church.^{1.}

It is estimated that American investments in Mexican railways amounted to \$300 million in 1902, and in 1911, \$650 million. In 1902 American mining interests came to the value of \$95 million and in 1911, \$250 million. Not only did our citizens invest in oil, mines and railroads, but in Lower California, Flores, Hole and Company of San Francisco purchased thousands of acres for the protection of archilla. McCormick of Chicago leased or purchased some 50,000 to 3 million acres for the development and protection of the Maguey fiber. Lands were likewise purchased for the growing of sugar, coffee, rubber, cotton and tropical plants. Indeed, it was estimated in 1912 that American financiers owned \$105 million in "plantation, haciendado and timber properties."^{2.} Just what attitude did the Mexican people take toward this influx of capital? They could not deny that it had brought about the prosperity of Mexico, it had bettered the material welfare of the nation, it had created a higher stan-

1. Mexico Before the World - Calles, Page 179-192.

2. Rippey - The United States and Mexico, Pages 313 to 316.

that the sale of all the bonded securities, including the

1940's, is being accelerated, and the proceeds are being

used to pay the principal of the bonds, and the interest

on the bonds is being paid out of the proceeds of the sale

of the bonds.

It is estimated that the American investment in Mex-

ican railways amounted to \$200 million in 1909, and in

1911, \$250 million. In 1909 American owned railways

had a value of \$25 million and in 1911, \$250 mil-

lion. The railways are the principal source of revenue for

the Government, and the principal source of revenue for the

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Government, and the principal source of revenue for the

State of Mexico. The railways are the principal source of

dard of living, and lastly, it had brought much money into the Mexican treasury, and the government was thereby able to pay off some of its outstanding obligations. But the Mexicans thoroughly realized the price paid for the building up of their nation. The lower class of people who were deprived of their lands and did not benefit, financially from this exploitation, became more hostile to foreigners. This outburst of hatred became more prominent between the years 1911 and 1917. It was felt that foreigners knowing that Mexico needed money took advantage of the fact and made profits accordingly. Official opposition was expressed in 1878 by a Mexican congressman - "would you, deputies of the state, exchange your beautiful and poor liberty for the present, for the rich subjection which railroads (built by foreigners) give you?"^{1.}

Opposition to foreign financial intervention was openly expressed in several Mexican newspapers in 1881. "La Patria" and "Frait d'Union" noted that now Texas, California, New Mexico and Western Indian territory was ceded, Mexico would be lost to her "Northern Neighbors" unless the government prevented further exploitation. These newspapers felt that catholicism would be overrun by "the thousand religious sects which exist in the United States;"

1. Rippey, The United States and Mexico, Page 320.

that the Spanish language and customs would be obliterated and that the Mexican himself would become a slave to private capital.

On the other hand, two writers of note, Enriquez and Castellanos, in their treatises on "Some Mexican Problems" came to the conclusion that the Mexican himself was the most dangerous element involved in a possible foreign domination. If Pan - Americanism was stressed sufficiently and the Mexicans knew how to preserve peace, foment progress, increase riches, and "work quietly for their own evolution, they will have nothing to fear from Americans." How true these sane statements are! If only the Mexican would coöperate with his government for the safeguarding of the constitution, and would heavily back those leaders whose very existence are necessary for the continuation of Mexican sovereignty, foreign political and financial domination would have ceased in the past and will cease in the future. But it seems to be the Mexican psychology that a strong leader is a dangerous man to have at the helm of the "ship of state." Until this idea is eradicated, Mexico cannot expect peace and security!

What elements, then, were responsible for the continued rule of Diaz for nearly thirty years? In the first

place Diaz may be characterized as a reformer, a supporter of the constitution of 1856, a man of "daring resource and will." His ability won the support of the upper classes, and the Indian was made to conform to his policies. Clever bandits were incorporated into the rural police forces; astronomical and meteorological education was stressed; the army was reduced to a minimum; railroads were built; harbors improved; and lastly, congress became "merely plastic clay." By making congress "merely plastic clay," and bribing those congressmen who opposed him, Diaz became a dictator. His dictatorial powers were so strongly enforced, and his personality so great that the dissatisfaction of the peons seemed to be kept under the surface. The peon had a just right to object to the new economic policy of Mexico. In 1886 a law was enacted which allowed all illegally held lands to pass into the hands of the state. Many peons and Mestizos had failed to register their purchased areas, and consequently/lands were seized and often sold to foreigners. The result was that in 1910 90% of the villages along the central plateaus were left landless, and many of these peons who had lost their lands were compelled to join the ranks of agricultural laborers who were held in bond by debt. The census of 1910 showed

place that may be characteristic of a system, a system
of the constitution of 1851, a man of letters, a man of
will, the ability, and the power of the system, the
and the system was able to do so in the future, the
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were compelled to join the system, the system was able to do so in the future,
the system was able to do so in the future, the system was able to do so in the future,

that 6000 hacendados owned 550,000 acres of land, whereas only one fourth of the total amount of land was in the possession of those residing in small towns (communes) and on small farms. It was estimated that 60% of the total population (peons de compo) were held in debt service as laborers.^{1.}

Diaz had a great opportunity during his peaceful régime to encourage the passing of laws beneficial to those classes which had always been oppressed by the governing factions. Yet, as all other leaders had done, legislation benefited the wealthier people only. To us, revolts and restlessness have conveyed a false idea. To the enslaved, oppressed and down trodden masses there has, however, been a common end, notably, full economic, political and social equality. The revolutions led by Madera, Huerta and Carranza were for this purpose, and the constitution of 1917 guaranteed the basic principles of the rights of man.

Almost one hundred years after the uprising of Hidalgo, Francisco Madero in May 1911 heeded the cry of oppression and attempted to oust Diaz. It is sometimes insinuated that not only was this revolution instigated by peons and other oppressed factions, but by American capitalists who were jealous of and who feared British domin-

1. Moon - Imperialism and World Politics, Page 440.

ation of the financial status of Mexico. It is a well known fact that Diaz was dominated by his friend, a British subject, Lord Cowdray. Lord Cowdray was able to obtain valuable oil concessions for British financiers, and by 1910 it looked as though the British interests would outclass all other rivals.^{1.} It is not to be surmised that Madero's revolution was financed by American interests. There is plenty of evidence to prove that Madero, a representative of Mexico's new financial power, was wealthy. Madero was able to ally his own class, and, upon the promise of social changes, the lower classes against the dictator Diaz and the landed aristocrats who had upheld the latter's administrative acts.

The first legislation of importance, after the overthrow of Diaz on May 1, 1911, and which in itself was indicative that all classes of people should elect the next president, was an act providing for, and guaranteeing fair elections. On October 1, 1911, Madero was elected to fill the office so suddenly vacated by Porfirio Diaz. The United States government promptly recognized Madero. President Taft considered this new Mexican leader a friend of the United States, and when a revolt broke out in 1912

1. Nearing and Freeman, Dollar Diplomacy, Page 87.

the American government prohibited the selling of arms to any rebel factions.^{1.} Madero, being unable to divide among the landless those large areas which were controlled by the aristocracy and other vested interests, found himself compelled to resign in February 1913. Felix Diaz, a nephew of the former president, supported by Madero's own commander-in-chief of the army, Huerta, was able to seize Vera Cruz and Mexico City. Huerta killed Madero, and made himself president. To be sure, elections for the new presidential candidate were held, but Huerta saw to it that he was elected. President Wilson refused to recognize him as the new de jure president because Huerta had murdered Madero; had failed to hold a fair election, and lastly, because he did not have control over the whole country.^{2.}

Much criticism was forthcoming because Wilson refused to recognize Huerta as the legal president of Mexico. In spite of the fact that Great Britain, France, Italy, Spain, Portugal, Russia, Belgium, Denmark, and Japan tendered recognition, Wilson continued a policy of "watchful waiting."^{3.}

1. Nearing and Freeman, Dollar Diplomacy, Page 90.

2. Review of Reviews, "From Diaz to Carranza," Vol. 53, Page 197.

3. Foreign Relations of the United States, 1913, Page 700; 805-807.

to Huerta to ask him to agree to resign in order that free elections might be held. Upon the refusal of the President of that Latin-American nation to do so, Wilson issued the following statement: "Just government rests always upon the consent of the governed, and there can be no freedom without order based upon law and upon the public conscience and approval."¹.

Again in regard to our policy of non-intervention and anti-imperialism Wilson stated:- "The United States has nothing to seek in Central and South America except the lasting interests of the people of the two continents, the security of governments intended for the people and for no special group and interests, and the development of personal and trade relationships between the two continents which shall redound to the profit and advantage of both, and interfere with the rights and liberties of neither." ².

Some authorities think that Wilson only accentuated civil strife in Mexico by not recognizing Huerta; others based his non-recognition upon the fact that Huerta was a representative of the feudal landholders, and would therefore not support any Mexican leader who

1. Quoted by Rippey, The United States and Mexico, Page 333.

2. International Year Book, 1913, Page 728.

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1. Quoted by Huxley, The United States and Mexico, page 200.
2. International Law Book, 1915, page 725.

would tend to follow the policy of Diaz in granting extensive concessions to English financiers. Indeed, one observer stated,- "That the Huerta forces have maintained Diaz policy of antagonism to American oil interests, and friendship to Lord Cowdray is apparent."^{1.}

It was frequently stated that American oil interests had kept Madero in power, but that British interests would keep Huerta in as President of Mexico. Eventually, however, the British ambassador because of instructions from his foreign office informed Huerta on October 27, 1913 that his policies of cruelty would no longer be supported. Hereafter, therefore, the Mexican policy^{2.} was to be dominated by the United States and not Mexico.

In spite of the fact that Great Britain gave us a free hand in our negotiations with Huerta, the British foreign office criticised our policy. It was stated in English papers that Wilson's policy of "watchful waiting" and sending of ultimatums was not a humane course to follow. It was recommended that the only way to quell disorders in Mexico was to intervene and annex that country. In the light of past history, namely, the French revolutionary struggles, the cutting off of financial support

1. Quoted by Nearing and Freeman, Dollar Diplomacy, P. 90.

2. Rippey, The United States and Mexico, Page 336.

would tend to follow the policy of British protection
the economic home for British investment. Indeed, one
observer stated, "The British Empire has not
been policy of protection for investment in the world, and
this is the last country to appear."

It was previously stated that American and British
policy had been similar in the past, but that British
policy had been more in the nature of protection. However,
the British Empire has been a source of investment
from the United States and other countries. In 1913, the
policy of American investment was to follow the
policy of the United States. The British Empire
was the largest of the United States, and it was
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had not weakened the Jacobins, and neither did it the Mexican revolutionists under the leadership of Carranza and Villa. Such a policy as pursued was merely a postponement of ultimate fighting to attain the purpose desired. It was not America's aim that the British press attacked, but its method. Sir Edward Grey felt that since the Monroe Doctrine would not allow foreign coöperation in adjusting matters in Mexico that the United States was morally bound to protect the lives and property^{1.} of foreign citizens.

On the other hand, what was the opinion of unbiased Mexican authorities? Bulnes, a Mexican politician of some note, protested against Wilson's policy pursued during 1913, 1914 and 1915 in that it denied the peoples' right to revolt. Only through revolt had any nation obtained its rights. His criticism of Wilson was most violent for supporting one man as against another. Bulnes pointed out that in the first place Wilson should have given Carranza de facto recognition in 1913, rather than Huerta. Wilson knew that Carranza was a constitutionalist, and he likewise was cognizant of the fact that Huerta was a bureau-

1. Spectator, "The Issues in Mexico", Vol. 112, Page 730.

crat. It was Bulnes' opinion that, if you read between the lines of Wilson's speeches, we supported that leader who would give us the best concessions. Continuing, it was pointed out that foreign capital, if invested in legitimate business, would not cause foreign intervention, nor would there be any objection to financial investments on the part of the Mexicans themselves if used for that purpose.^{1.}

Needless to say certain Americans favored intervention to oust Huerta. It was felt that American interests were being sacrificed at the cost of a revolution led by the Villa - Carranza - Huerta group. It has been already indicated that many Americans considered Huerta had been financially supported by British interests. Meanwhile, Wilson and his cabinet were waiting to see if the people, no longer supported through United States arms and money, would not tire themselves out and the revolution would die a natural death. Then and only then would we intervene to set the Mexican political machinery in order.

The fact that the United States continually refused to extend de jure recognition to Huerta only tended

1. See Bulnes, F., The Whole Truth about Mexico, - President Wilson's Responsibility.

... It was Wilson's opinion that, if the United States
... Wilson's speech, he suggested that leaders who
... would give us the best consideration. Continuing, it was
... pointed out that foreign capital, if invested in
... industry, would not cause foreign intervention, and would
... there be any objection to financial investments in the
... part of the American Government if that was the purpose.
... decided to get certain American factors inter-
... vention in that matter. It was felt that American inter-
... vention would be justified at the cost of a revolution
... led by the United States - American money. It was
... almost impossible to get many American companies to
... and then financially support a British Government.
... American, Wilson and his cabinet were willing to do it.
... the people, no longer supported the United States
... any of money, which did not interest them and the re-
... volutions would be a matter of time. Even so, only when
... would be necessary to get the United States political machinery
... in order.
... The fact that the United States was financially re-
... liable to support its own machinery in Europe was another

... Wilson, W. H. ...
... Wilson's speech ...

to embarrass him in foreign relations and to aid his enemies at home. Carranza and Villa in December 1913 seized the Northern provinces, and wended their way on to Tampico. On April 8, 1914 the port and oil center of Tampico was taken. What attitude did Wilson take toward the Carranza-Villa alliance? It is most assured that Wilson favored Carranza in that he lifted the arms embargo in favor of Carranza on February 3, 1914. Thus supported by American arms it was fairly easy for Carranza to be successful in all future combats with Huerta. The State Department not only supplied the rebel faction with arms, but that support implied:- "not only would the United States dictate to Mexico as to who shall not be president, but it would also dictate as who shall, and that in this regulation of Mexico's affairs it would not share with any of the European Powers." Not only did Wilson materially aid Carranza, but Doheny emphatically stated that American^{1.} oil interests supported him as well.

After Tampico had been practically seized by Carranza, three American marines who had landed at Tampico on April 10, 1914 were taken by Huerta's officials. Upon

1. Moon, Imperialism and World Politics, Page 443.

the protest of the American government these marines were released, and Huerta apologized. Admiral Mayo who had command of the American fleet in Caribbean waters demanded that Huerta give a salute of twenty-one guns to the United States flag. The Mexican President agreed to conform with the demand if we would reciprocate. Wilson refused to comply with his request in that he feared such would be a virtual recognition of the Huerta government. On the 18th of April Wilson issued an ultimatum further demanding the salute, and upon being unable to coerce Huerta, asked Congress to permit him to use force. On the 21st day of April American troops entered Vera Cruz, a seizure of munitions and the customs house following.^{1.}

President Wilson's new policy of intervention was based upon a right as guaranteed by international jurists. It is a recognized principle of international law that if a nation's flag is insulted, and just demands to remedy the situation are not forthcoming, then that nation injured has the right of intervention.^{2.}

Let us pause a moment to get the Mexican verdict on the Tampico case. According to Mexican officials, naval guards were within their legal bounds to seize the

1. U. S. Foreign Relations. 1914, Page 443.

2. Stowell, Intervention and International Law, Page 21.

three marines who attempted to land at Tampico without the consent of the authorities. Huerta pointed out that these guards merely had exercised instructions given to them, and after recognizing their mistake had released the American marines. The Mexican government in due form apologized, and punished those whom the United States government had accused of exercising undue authority. Huerta refused to salute the United States flag for fear that he might humiliate his country. There certainly is evidence to show that the United States might have seized the opportunity to intervene, basing such intervention upon international law. The American Chargé d'Affaires in Mexico City, Nelson O'Shaughnessy, cabled the State Department that the return salute by the United States was "the best arrangement that could be made." And Mrs. O'Shaughnessy wrote from the Mexican Embassy on April 25, "that we are destroying these people and there is no way out. We seem to have taken^{1.} advantage of their distress."

Whatever may be the opinion, it seems logical that both parties were to blame. The South American countries seemed to think that both nations were wrong in their actions pursued at Tampico. For that reason

1. Quoted by Nearing and Freeman, Dollar Diplomacy, Pages 102 and 103.

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these matters were assigned to him at the time of the
then, and after receiving their instructions and witness
the American Embassy. The American government in the
first established, and published those when the United
States government was accused of espionage and other
it. These matters are subject to the United States for
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which is evidence to show that the United States
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in their interests and the United States. For the United States

Argentina, Brazil and Chile offered to mediate, and on May 20, 1914 representatives from the A. B. C. powers, Mexico and the United States gathered at Niagara Falls. At this meeting an attempt was made to oust Huerta from office and to get articles of peace signed. Because nothing constructive and definite was accomplished to soothe the relations between United States and Mexico, Huerta was forced^{1.} to resign on July 15, 1914.

From July 15, 1914 until the beginning of 1917 civil war raged within Mexico. Shortly after Carranza seized Mexico City in August, 1914, his commander-in-chief of the army, Villa, broke off relations with him. As a result Carranza was forced to relinquish control of the city on November 23, 1914, and with his army retired to Vera Cruz which city the United States forces had already evacuated. From the time Carranza had left Mexico City to July 1915, there had been elected six provisional presidents by the Mexican Congress. In desperation, six diplomats from the Central and South American countries attempted to gather at a conference those armed

1. Survey, "Bandit Colonies", Haberman, R., Vol. 52, Page 148.

leaders attempting to get control of Mexico. Villa readily assented to attend but Carranza refused. Finally, on October 18, 1915 these same diplomats issued a decree that that government to seize Mexico City within three weeks should be recognized. On October 19, 1915 Carranza was able to take the city, and accordingly was granted recognition by the United States and eight Central and South American countries. Thus did Carranza come into power, not duly elected as Wilson had notified Huerta he must be, but virtually "shot into government."

Wilson was an idealist, and at the beginning of his administration it was his grim determination in so far as Mexico was concerned, that "just government rests upon the consent of the governed." Did Wilson mean that there should be freedom of elections? Certainly Huerta was asked by John Lind, a special envoy sent by Wilson to Mexico in 1913, to resign in order that fair election might take place. Again at the conference at Niagara Falls in 1915, the American delegation asked that a constitutionalist be made provisional president of Mexico until electives supervised by a United States army should elect a constitutional

leaving a large number of people in the area.

It is believed that the situation is serious.

On October 18, 1910, the situation was serious.

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1. president. Furthermore, Colonel House wrote to W. H. Payne - "It is to be the policy of this administration henceforth not to recognize any central American government that is not formed along constitutional lines."^{2.}

Or was this policy of Wilson to be modified during the latter part of his first administration to mean that the "Wilson doctrine" should not only be opposition to financial imperialism, but disapproval to revolutions and dictatorships in Latin - America; that this government was to insist in the future upon an orderly, constitutional and democratic government, not directly implying freedom of elections? Did Page best interpret the policy by stating that the new "Wilson doctrine" should be, if necessary, "shooting men into self-government?"

Certainly, it cannot be denied that Wilson changed his ideas by 1916, otherwise Carranza would not have gotten into office. Can we not conclude by saying that Carranza, a constitutionalist, best represented the interests of the United States? Was he not much more friendly to the American government and business interests than Villa? From the past financial history of the United

1. Nearing and Freeman, Dollar Diplomacy p. 110.

2. Moon - Imperialism and World Politics p. 443.

President. The President, Generalissimo, is a man of

force - "It is to be the policy of this administration

to maintain the peace and to maintain the peace and to maintain

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States, the author is led to believe that Wilson was compelled by a small group of financiers to adopt the policy of intervention that he did. Indeed, Tumulty states that when those who had land, mineral and oil investments in Mexico were demanding intervention in Mexico, Wilson replied: "I have to pause and remind myself that I am President of the United States and not of a small group of Americans with vested interests in Mexico."¹ Whether the State Department took the initiative in protecting financial interests in Mexico, or whether American financiers demanded that protection is for one to conclude himself. There is sufficient evidence that each assumed its share, working under the international theory that for the protection of one's vested interests a government shall intervene forcibly or diplomatically, to protect the property of its nationals.

No sooner had Carranza been put into office than Villa, stung by defeat, staged a "coup d'état" in an attempt either to eventually seize the government at Mexico City, or to make the Wilson government suffer for what it had done in not permitting him to become presi-

1. Tumulty, Wilson As I Know Him, Page 146.

...the author is led to believe that Wilson was con-
vinced of a small group of financial interests about the policy
of intervention since the old. Indeed, I think it is clear that
when those who had been, almost all old investors in
Mexico were expelled from intervention in Mexico, Wilson re-
sisted. It was the policy and policy against that I am trying
to say of the United States and not of a small group of inter-
ests with very few interests in Mexico. ... whether the
State Department took the initiative in proposing the
chief interests in Mexico, or whether American financial
interests had proposed it for one to be included in itself.
There is sufficient evidence that each country has been
working under the international policy that the policy
is not a national interest, a national policy, but the policy
of the United States, or perhaps the policy of the
nationals.

...the author has shown that the policy was
not, as he has said, a "policy of interest" in the
sense that we eventually make the government of the
the city, or to make the Wilson government, which for
what is the case is not a national policy but a national policy.

dent. On March 9, 1916 Villa with 3000 men raided Columbus, New Mexico, burning the town and killing^{1.} nineteen American Citizens. The clamor for American invasion of Mexico, in order to prevent further raids was demanded not only by American citizens, but by United States Army generals stationed along the frontier. Wilson complied with the request by announcing to Congress that a "punitive expedition" was to be sent into Mexico. According to Wilson's interpretation of the phrase, "punitive expedition," meant the invasion of a backward^{2.} nation unable to quell disorders within its boundaries. Forthwith, a call for volunteers was issued, and General Pershing with a force of 12,000 men marched into Mexico on March 15 to pursue Villa.

Immediately after the Columbus raid President Carranza forwarded a long message to the American government in which he expressed regret for the "lamentable incident" at Columbus. In his message he asked that the United States sign a reciprocal treaty wherein the troops of each nation might pursue Mexican bandits over the international boundary. The agreement as accepted by

1. N. Y. Times, March 10, 1916, Page 1.

2. Moon - Imperialism and World Politics, Page 445.

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President Wilson specifically stated that the coöperation of both nations was necessary to kill Villa, but under no circumstances should the troops of either nation go into the towns, or forty miles beyond the border. On March 11, Carranza tried to add further provisions to the agreement, such as,- neither army should be composed of more than 1000 men, nor should the expedition be permitted in either territory for a period of more than ^{1.} five days except under unusual circumstances. The State Department rejected the amendments of March 11, and as a result Carranza tried to back out of the proposal of March 10.

Under the direction of General Pershing, and Major Tompkins the punitive expedition reached Parrel April 12. Here a skirmish took place, not between the Villistas and United States troops, but with the forces of Carranza. The conflict showed that the Mexicans objected to the "invasion," and as a result President Carranza on the following day, April 13, demanded the immediate withdrawal of our troops claiming that we had undertaken the expedition without the tacit consent

1. International Year Book, 1916, Page 421.

of the Mexican government.^{1.}

On May 5, 1916 the Villistas attacked Glen Springs, Texas. The result was an increase in the American Army along the international border so that by the end of 1916 it numbered about 100,000. The raid at Glen Springs broke up a Conference at El Paso which was in the process of negotiating the withdrawal of American troops. The relationship between Carranza and Wilson became even more serious when on May 22, the former demanded the absolute withdrawal of the American forces from Mexican soil. Carranza questioned the sincerity of the Wilson "punitive expedition", and charged that we were violating Mexican sovereignty.^{2.} To this address Secretary Lansing replied, denying that it was our intention to establish ourselves in Mexico by pursuing bandits across the international border. For two years the Wilson administration had waited for border raids to subside, and since they had not, and since Carranza apparently did not intend that they should, the United States had no intention of withdrawing its troops.^{3.} Eventual withdrawal of the United States Army did not take place until the end of December, 1916. It is

1. Amer. Journal of International Law, Vol. X, Page 167.

2. International Year Book, 1916, Page 423.

3. Ibid, Page 423.

of the Mexican government.
On May 1, 1915 the Minister attended this meeting.
The results were as follows: the American army
along the international border on May 15, 1915
it reported about 100,000. The total at this time
by the government of 17,000 which was the present
of negotiating the withdrawal of American troops.
relationship between Germany and Wilson was
more serious than on May 15, 1915. Further details of the
the withdrawal of the American troops from Mexico will
German position, the attitude of the American people
expulsion, and control that was being taken
sovereignty. To this extent Germany is being notified
having that it was not intended to establish ourselves
in Mexico by extending further the international
day. For two years the American administration had waited
for border rights to be settled, and since they had not, and
since Germany was not ready to be settled, they could
the United States had no intention of withdrawing the
troops. The withdrawal of the United States army
did not take place until the end of December, 1915. It is

1. Ann. Journal of International Law, Vol. I, page 147.
2. International Law, page 147.
3. Id., page 147.

thought that the war going on in Europe necessitated the evacuation. It is to be noted that no agreement could be reached with Carranza wherein it was possible to create a better feeling between the two powers. This same bitter attitude toward Mexico was destined to last until 1928.

American intervention into Mexico, or much better termed a "punitive expedition," was entirely legal. It is apparent that Carranza withdrew his note of March 10, 1916 which provided for coöperation in quelling the border raids because of opposition at home. If international law upholds the invasion of United States troops into Mexico in 1836 to punish Indian invaders, certainly the expedition in 1916 was justified. It is the duty of every state to so administer its laws in time of peace as to prevent private persons from organizing and arming for the purpose of invading a neighboring state. "Temporary invasion of the territory of an adjoining country when necessary to prevent and check crime, 'rests upon principles of the law of nations entirely distinct from those on which war is justified upon immutable principles of self-defense - upon the principles which justify deci-

sive measures of precaution to prevent irreparable evil
to our own or to a neighboring people'¹".

The period between 1878 and 1917 marks a departure from past diplomatic history with Mexico which was almost entirely based upon territorial expansion. The financial exploitation of Mexico by the United States and foreign nations was inevitable. Poor bankrupt Mexico needed money, and the easiest way to earn it was to sell its lands, and grant valuable concessions. As a result the political domination of Mexico by these vested interests became a reality. Since international law recognizes the right of any sovereign power to protect its property and citizens, the only logical outcome was foreign aggression. Certainly the United States, through supporting Madero and Carranza has obtained a wide field in which to invest. It is most difficult, then, with these historical facts in view to condemn any one nation for the financial exploitation of Mexican riches. It was a case of British-American competition for concessions, and fortunately or unfortunately, the latter power won out. The real test of whether the United States should politically

1. Quoted by Taylor, International Public Law, Page 405.

The purpose of this study is to provide a critical

analysis of the historical development of the

period between 1875 and 1915 and to provide a

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dominate Mexico to protect its interests came to a climax under Wilson's administration. Although Wilson's ideals would have formed a most unbiased policy to pursue, nevertheless an ever grasping group of financiers who had invested heavily in Mexico, and who wanted still larger profits through further grants, slightly changed Wilson's anti-imperialistic scheme into one very badly tinged with imperialism. But Mexico was not yet to be dominated by Yankee or foreign gold. The Constitution of 1917 was to be her "cry of halt!"

Chapter IV.

Diplomatic Relations 1917-1929.

The Future of Mexico Lies in Her
Ability to Enforce the Constitution
of 1917.

To Presidents Carranza and Calles should be attributed the success in being able to advance the political, social and economic interests of the mestizo and peon classes. Only through their untiring efforts has it been possible to extend to the working classes those rights for which they, undaunted, struggled for over one hundred years. The path to constitutional liberty, free from the political domination of the church and foreign nations, has been obtained only through the "iron-willed" efforts of ex-President Calles. It is now up to the Mexican to support these reforms, and to refuse to "swallow" the revolutionary oratory of certain notorious politicians who seek to enrich themselves at the expense of the working class itself.

Political Relations 1917-1920.

The Treaty of Mexico was in force
allowing to enforce the Constitution
of 1917.

To President Carranza and Calles should be attributed the success in being able to advance the political and economic interests of the middle and lower classes. Only through their untiring efforts has it been possible to extend to the working class those rights for which they struggled for over one hundred years. The new constitutional liberty, free from the political domination of the church and foreign nations, has been obtained only through the "thunder-storm" efforts of ex-President Calles. It is due to the action to support these policies, and to refuse to allow the revolutionary strategy of certain military leaders who seek to enrich themselves at the expense of the work-
ing class itself.

The revolution of 1917, then, was not for the usual personal political gain, but for the economic and social advancement of all classes as a whole. It is to be remembered that Mexico's first revolution in 1825 tended to do away with the domination of the Gochupines or Spanish-born; the revolution of 1856 went farther and attempted to break the power of the clergy, and the revolution of 1917 has wrested autocratic control from the hands of the hacendado. In 1915 President Wilson and the oil interests took the government out of the hands Huerta, a supporter of the feudal landlords, and in placing it into the power of Carranza, a constitutionalist, actually produced a final revolution for economic and social equality.

Carranza called a constitutional convention on December 2, 1916, and on February 5, 1917, the constitution in its final form was promulgated.¹ The document in general guarantees freedom of press, speech, religion, jury trial, congressional representation, election of a president every four years, universal suffrage; and such social changes as the following,- eight hour day, minimum wage scale, public health department, confiscation of church property (with exceptions), separation of church and state; and such economic reforms as the

1. See for future references - The Mexican Constitution of 1917 - Annals of American Academy of Political and Social Sc. Supp. May 1917.

division of lands, and the nationalization of all "sub-soil products'."

After the constitution of 1917 had been adopted, France, England and the United States immediately objected to Article 27 which in Section I states that "the ownership of lands and waters comprised within the limits of the national territory is vested originally in the Nation, which has had, and has, the right to transmit title thereof to private persons, thereby constituting private property."

Continuing, this section explains that private property shall not be expropriated except for reasons of public utility, and only by indemnification. "The Nation shall have at all times the right to impose on private property such limitations as the public interest demands, as well as the right to regulate the development of natural resources'."

Furthermore, only Mexicans by birth or naturalization, and Mexican companies have the right to acquire ownership in lands, or to obtain concessions to develop mines. This same right, the constitution definitely states, shall be granted to foreigners if an agreement is signed whereby all property leased or acquired, by concession or grant, is to remain subject to the regulation of Mexican laws, and lastly, that the foreigner obtaining

Division of Lands, and the nationalization of all "land"

will be made."

After the revolution of 1917 had been achieved,

France, England and the United States have been object-

ed to Article 27 which in Section 1 states that "the

ownership of lands and waters comprised within the limits

of the national territory is vested exclusively in the

Nation, which has had, and has, the right to transfer

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ment. This same right, the constitution definitely

states, shall be granted to foreigners if an agreement is

entered into with the Government, and subject to the

condition of reciprocity, in the same subject as the national

of Mexican laws, and finally that the Government retains

such rights shall not invoke the diplomatic aid of his
1.
country.

It can be readily noticed then that the Mexican government has repudiated those congressional acts of 1884, 1892, and 1906 which gave the owner of land complete liberty to exploit Mexican riches. Indeed, the article is explicit in this matter. To repeat,- in the "Nation is vested direct ownership of all minerals or substances which in veins, masses, or beds constitute deposits whose nature is different from the components of the land."

Foreign nations have not been anxious to accept Article 27 of the Mexican constitution. England went so far in 1926 as to recall her minister, and the United States sent note after note to Calles warning him that the government at Washington would not tolerate laws which tended to be confiscatory and retroactive. It was the basis of contention that American financiers had been guaranteed full property rights by the successive acts of 1884, 1892 and 1906. To these more or less belligerent gestures the Mexican government replied that Diaz had exceeded his authority in granting foreigners the right to exploit the riches of Mexico. The State Department of that Latin-American nation pointed out that the Leyes de Indies (Laws of the Indies) of 1518 passed on to the Spanish

1. Mexican Constitution, Article 27.

which rights shall not be the subject of the
country.

It can be readily noticed that the
government has maintained a policy of
1924, 1927, and 1930 which gave the owner of land con-
siderable freedom of disposal. Indeed, the
article is entitled "The owner". The owner - is the
"person" is stated to be the owner of all interests
and interests which he holds, whereas, on the other hand,
interests which are different from the ownership
of the land.

These matters have been mentioned in
Article 27 of the Mexican Constitution. Indeed, it is
not in 1928 as he would say, but in 1928, and the
Constitution was then amended to give the owner of the
the government of the nation would not be subject to the
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entire full property rights in the successive acts of 1928,
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the Mexican government decided that the land should be
authority in granting foreign the right to exploit the
states of Mexico. The State decided that the
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the acts of the States of 1928 would be the same as

Mexican Constitution, Article 27.

crown the "right of conquest of all mines in Mexico, either discovered or not known." Again in 1783 Charles III of Spain issued the "mining ordinances (Ordenanzas de Minería) for New Spain," stating that the mines were by nature and origin the property of the Spanish crown. Under no condition, continued the ordinance, should his subjects separate them from the "Royal Patrimony." Should His Majesty's people not abide by his decision, then those concessions granted were to be forfeited.¹ Based upon this historical document, the Department of Commerce in 1812 declared that Mexico did come into possession of these "same bituminous substances which form a part of its direct domain which is inalienable and imprescriptible. By no means does the Mexican government pretend in any way to place barriers upon foreign investments in Mexico, but on the contrary she desires to grant all kinds of facilities to those coming from foreign countries; to extend to them a portion of her fortune and good will; to share with her the gifts of her territory.

Much discussion, covering a ten-year period, has centered about the ancient Leyes de Indies. Did not Diaz have a right as president of Mexico to abolish these fixtures of antiquities; these barriers to foreign investments

1. The Petroleum Law, Mexican Commerce Dept. Pages 1-3.

in Mexico? Were the laws, the Leyes de Indias, legally sanctioned by the Spaniards themselves, or were they merely the enactments of a despotic monarch? According to a judicial interpretation by an eminent writer in the American Law Review for 1921, confiscation dates back to the founding of the right, and retroaction is seizure after the right is obtained in good faith upon the invitation of the government. The writer goes on to state that retroaction is opposed to fairness and justice by the people of every free government.^{1.} Distinguished scholars have noted that the Spanish government upheld the right that a despotic ruler did not, according to Roman law, have the right to confiscate territory without compensation. Yet previous to 1928 there was confiscation whenever land owners refused to meet the requirements of Article 27 of the Constitution of 1917.^{2.}

In reply to the theory that no government has a right to confiscate property without compensation, President Carranza retorted that New Spain had the privilege to seize property in that "Christ having been constituted monarch of the world, passed on his power to St. Peter and his successors, and with it that of charging the kings (under the jurisdiction of the Pope) with the subjugation

1. American Law Review, "The Mexican Constitution," Goither, R.B., Vol. 55, Page 481.

2. Ibid. Page 448.

of un-Christian countries." Continuing, Carranza concluded that since Spain had the right to exploit the lands of New Spain, as guaranteed by the Leyes de Indies and the Church, so did the Mexican government inherit these despotic powers.^{1.}

Yet in reply to the decision that has been upheld by certain jurists that the Leyes de Indies were illegal according to Roman law, we have lawyers in this country who support the Mexican viewpoint. The United States claims the impossibility of "ownership" of oil while it is in the "self-migratory" state. But cases are cited wherein the Supreme Court of our country has sanctioned the right to regulate natural resources such as oil and gases.^{2.} In the case of the Ohio Oil Company versus Indiana, the courts upheld the opinion that a state has the sovereign right over its oil and gas which is in the ground, and therefore can prevent its extraction. "This necessarily implied legislative authority is borne out by the analogy suggested by things *ferae naturae* (wild by nature) which it is unquestioned the legislature has the authority to forbid all from taking, in order to protect them from undue destruction, so that the right of common owners,

1. American Law Review, The Mexican Constitution,
Goither, R. B., Vol. 55, Page 485.
2. Supreme Court Reports, Ohio Oil Co. vs. Indiana (1889)
177 U. S. 192; Lindsley vs. Natural Carbonic Gas Co.
(1911) 220 U.S. 61; and Walls vs. Midland Carbon Co.
(1920) 254 U. S. 300.

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the public, to reduce to possession, may be ultimately efficaciously enjoyed."¹.

From the foregoing decision it is concluded that oil is in the first place, by nature, wild, is migratory and is liable to escape from under the ground while owned in fee simple by the owner of the land. Secondly, the fee simple owner does not absolutely own the migratory oil in the earth beneath his land; thirdly ownership is subject to the right of the power of the state to regulate, control and have "dominio directo" (direct dominion) over oil in the earth and taken therefrom; and lastly, the right to regulate for the "benefit, protection, welfare and safety of the community, the public, and the state," cannot be denied.².

There is no doubt that Carranza had a very weak argument when he indicated that the church protected the right of New Spain to own the sub-soil products. Even though that right was inherited in 1812 it could not be accepted in the twentieth century by a country denouncing the power of the Catholic Church. There is no question that the constitution of 1917, and as modified in 1925, was confiscatory and retroactive, but there is evidence

1. Quoted by Calles, Mexico Before the World - Page 234.

2. Ibid. Page 236.

as Hawkes indicates, that the United States State Department has not lived up to the interpretation of the highest court of the land. However, we shall see that eventually the Mexican Supreme Court in 1928 retracted its steps and recognized on the one hand, that the seizure of property acquired previous to May 1, 1917 was retroactive, and on the other, decreed a right to control the output of oil for the public welfare.

Leaving for the moment the judicial side of the oil controversy, what diplomacy was utilized by our government in obtaining a revision of Article 27? The first official objection was presented on June 29, 1918 by President Wilson who stated, "all the United States asks for its citizens who have investments in Mexico, relying on the good faith and justice of the Mexican government and Mexican laws, is justice and fair dealings. However, the seizure of property at the will of the sovereign, without due legal process equitably administered and without provision for just compensation has always been regarded as a denial of justice and a cause for diplomatic representation..... So far as my government is aware no provision has been made by your excellency's government for just compensation for such arbitrary divestment of right nor for the establishment of any tribunal invested with the functions of determining justly and fairly what indemnifications

are due to American interests."¹.

Again American oil financiers had dictated the American policy in Mexico. With the support of Washington, the leading oil companies in Mexico refused to abide by the new constitution or to recognize the legality of the Carranza government to enforce Article 27 by nationalizing the oil wells. The Anaconda interests formed the "National Association of Protection of American Rights in Mexico" with a press branch on Fifth Avenue, New York, to spread propaganda, and eventually get the public to demand, by force if necessary, the repeal of this obnoxious legislation passed by the Mexican Congress in 1917. Doheny offered McAdoo, Wilson's son-in-law, a million-dollar retainer if he would direct the affairs of our government and the opinion of Wilson into the channels of armed or diplomatic intervention.²

The Harding administration pursued the same policy as Wilson, with the exception that Fall, a personal friend of the Doheny interests, became a member of Harding's cabinet. The government from 1920 to Harding's death in 1922 was "saturated" with oil, and Doheny went to the Capitol with \$100,000 in a suitcase "as a loan from an old friend."

With a representative of the oil interests in Washington, Harding naturally refused to recognize the new

1. American Law Review, Goither, R.B. "The Mexican Constitution"
Vol. 55, Page 496.

2. Moon: Imperialism and World Politics, Page 446.

President of Mexico, Obregon, who came into office in 1920. For two years the price of Obregon's recognition, namely, that Article 27 should not be used retroactively to the prejudice of oil concessions acquired prior to 1917, dangled above the head of Mexico's new chief executive. Finally, in 1922 Obregon made a settlement with the Morgan firm for the resumption of interest on a \$500,000,000 debt and recognition was extended.¹ Once more American oil interests had won the day and the State Department had been compelled to bow to American investors in Mexico!

When one stops to consider the vast amount of wealth which American financiers had spent in Mexico, for selfish or unselfish purposes, there can be no wonder that the aid of both Wilson's and Harding's administrations was sought. Even at the present time one is led to believe that United States investors are blaming the Catholic church for the revolt, when in reality they are partly responsible. The Mexican laws, even though modified in 1928, are still objectionable to many oil well owners. It is amazing to note the rapidity by which Americans have increased their holdings in Mexico. In 1902 it is estimated that we had invested \$500. million in gold; by 1911, 1 billion; and by 1912, \$1,057,770,000, and by 1926, \$1,280,000,000!² By 1926 practically 40% of Mexican riches were owned by the

1. Moon: Imperialism and World Politics, Page 447.

(Dunn:

2. American Foreign Investments, Page 80.

United States investors, and only one-third, \$1,500,000,000^{1.} by Mexicans themselves!

Dunn indicates that of this \$1,280,000,000 invested in Mexico, \$479,000,000 was in oil lands and refineries, \$300,000,000 in mining and smelting, and over \$200,000,000 in plantations and timber lands.^{2.} As it can be seen, American investments in oil outnumbered all others. Indeed, in 1919, W. S. Culbertson stated that "American companies produced 70% of the Mexican crude oil production."

With these data in mind it is to be judged that the State Department of the United States after 1924 continued to exercise much influence over Mexican politics. But it suffered a most severe blow in 1924 when Calles became President of Mexico. On December 31, 1925, the Mexican President recommended that the constitution of 1917 be interpreted and applied to the nationalization of Mexican riches. Congress accepted Calles' program and the result was a much strong opposition from the United States government which at times, to 1928, threatened war between the two nations.

The new amendment to article 27 of the constitution of 1917 again restated the provision that Mexico, a free country, grants to Mexicans, mining and petroleum con-

1. Calles, Mexico Before the World, Page 178.

2. Dunn, American Foreign Investments, Page 91.

United States Government, and only one, the only one, was
by the United States Government.

When the United States Government was first organized
in 1789, it was one of the first in the world
to be organized on a democratic basis, and it was
the first to be organized on a democratic basis.
It was the first to be organized on a democratic basis.
It was the first to be organized on a democratic basis.
It was the first to be organized on a democratic basis.

With these facts in mind it is not surprising that
the Government of the United States after 1800 continued
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The new Government of the United States after 1800
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democratic principles. The Government of the United States
continued to operate under the same democratic principles.

1. United States Government, 1789-1800.
2. United States Government, 1800-1860.

cessions whose rights they may transfer to persons entitled to acquire them, and without any further limitation than that they observe the laws in force. To foreigners are granted the same rights providing they, too, observe Mexican laws.

In the first place the new act regulates exploration and exploitation of land where oil may exist, and where it already has been found to flow freely. If an individual desires to open up new areas where oil may be found, he must first address the Petroleum Agency located in that particular territory. If the Agency finds that the land in question is "free and open" a grant is made for exploration purposes for a period of one to five years. The explorer must deposit a fee with the Agency which is returned at the expiration of the grant if all conditions of the contract have been complied with. The concession may be terminated by three months notice. As soon as oil is discovered a contract to exploit the well must be obtained from the Mexican government.^{1.}

All rights for exploitation which had begun prior to May, 1917, or had been leased expressly to be exploited, were to be acknowledged by the act of 1926 without any expense whatever for those concerned. However, proper

1. The Mexican Petroleum Law, Pages 15 to 17.

session, those rights may be exercised in relation to the
to which they are, and without any limitation upon
that they have the right to be heard. In relation to
exercise the same rights regarding their, too, objective and
not less.

In the case of the one and the other, respectively
and exclusion of the other all rights, but there is
himself has been found to be a right. It is a right
which is open to all those who are not to be
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in relation to the one and the other, but there is
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It is a right for exclusion which is a right which is
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1. The National Government, page 15 to 17.

claims must be filed with the Petroleum Agency, then a concession for a fifty year period was to be granted. At the end of fifty years the Mexican government should decide as to whether the contract was to be extended. Only under certain conditions should oil be taken out of the ground, and in no way was the oil exploiter to injure the face of the land so that it could not be used for other purposes. In addition the Mexican government was to collect a tax on each barrel of oil extracted from the ground. Accompanying the contract there must be a declaration specifically acknowledging the superiority of Mexican law over oil areas, and promising not to invoke the diplomatic protection of a foreign government. Lastly, the government demanded that the new concession be obtained previous to December 31, 1927 or else the property would be confiscated without indemnification.^{1.}

Suppose an investor desired to obtain a concession in areas which never had been exploited, but which had been explored for oil, what would be the process and for how long would the grant last? The concession would be obtained from the Petroleum Agency, but the length of the right to exploit was definitely limited to a thirty year period. During the time of exploitation not only should a fee be paid to the government for the concession, but in addition a 5% tax on the gross production profits

1. The Mexican Petroleum Law, Pages 12 to 14.

was to be assigned to the owner of the surface. Thus the Mexican government gets the promoter both going and coming, and the net result is the division of profits among three parties,- the exploiter, the owner of the surface, and the government (owner of the sub-soil products).

The whole object of the Mexican government in instigating the concession movement, and providing for the naturalization of all oil wells, pipe lines, refineries, and storage tanks, was three fold. In the first place, it retains some of the profits in Mexico which formerly had been exported to those foreign nations exploiting Mexico; secondly, it protects the national resources; and lastly, monopolization by a few privileged oil concerns is no longer possible. As the law is now enforced an individual company has to make use of its concessions. No longer is it possible to speculate to the injury of other industrials, nor hold lands only for the sake of preventing competition. The new act of 1926 provided for the utilization of products of petroleum for the best interests of the country. The author is inclined to believe that the object was most unselfish, and that the Calles government saw a chance to use some of the oil profits for the building up of social and economic institutions which would be of a distinct benefit to the lower classes of people.

The legislation passed by the Calles administration provoked much discussion in Washington. Indeed the new interpretation revoked the cowardly "backing down" policy which President Obregon had assumed during the Harding administration. Calles had been warned when he came into office in 1925 that the United States could give Mexico support "only as long as it protected American property," and complied with its international engagements and obligations. To this Calles on June 14, replied that Washington's note of June 12, 1925 threatened the "sovereignty of Mexico." Continuing, he insisted that Mexico would carefully comply with her obligations according to international law, and would not allow any foreign nation to obtain special privileges.^{1.}

The year 1926 closed, in so far as the Coolidge Cabinet was concerned in its relationship with Mexico, on October 30, 1926. On that date Secretary of State Kellogg issued what he said was his last note of the year to Mexico. Its contents were the following,- "the United States expects Mexico to respect in their entirety the acquired property rights of American citizens...and..... not to take any action under the laws in question and the regulations issued in pursuance thereto, which would operate, either directly or indirectly to deprive American

1. International Year Book, 1925, Page 723.

The Committee agreed by the United States...
 Also proposed much discussion in Washington...
 The new information revealed the country's...
 "down" policy which...
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citizens of the full ownership of their social properties and property rights."¹.

Mexico notified the American government that it, too, was sending a last note of the year. On October 30, 1926, Secretary of State Saenz replied,--"My government on its part expects that your excellency will indicate the concrete cases in which recognized principles of international law have been violated or may be violated in disregard of legitimate interests to American citizens, since in such cases it will be disposed to repair such violations."².

Whether American financial interests were responsible for the betterment of relations between Mexico and the United States in 1927 or not, no one can ever truthfully say. The Mexican courts were not closed to cases in which the owners of oil wells, or mines thought that they had been deprived of their rights. In November 1917 the Mexican Supreme Court handed down a decision stating that the constitution of 1927 as interpreted by articles 14 and 15 of the new law of 1926, had illegally confiscated those property rights of the Mexican Petroleum Company which it had obtained previous to May 1917. The result was that on March 28, 1928 President Calles asked the Mexican Supreme Court to further interpret articles 14

1. International Year Book, 1926, Page 472.

2. Ibid. Page 472.

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and 15 of the act of 1926 which was passed in order to put into operation article 27 of the Mexican constitution^{1.} of 1917.

Much to the relief of American and Mexican officials and financiers the Supreme Court handed down a decision on January 11, 1928, reversing the meaning of article 27 in so far as it pertained to property obtained previous to May 1, 1917. Under the new constitutional amendment those property concessions and rights granted previous to May 1, 1917 "shall be continued without time limitation (as against the previous 50 year limit) and shall operate as recognition of rights acquired, which shall continue in force."^{2.} This new interpretation does in no way mean that these properties, or grants acquired previous to May 1, 1917 shall not be registered with the government. Registration must take place previous to January 12, 1929 or else property or concessions obtained before 1917 shall be confiscated or cancelled without indemnification. The act of 1917, as further defined in 1928, has one distinct advantage. It eradicates that more or less uncertainty which existed previous to 1928 as to whether the Mexican government would extend oil concessions after a fifty year period had expired.

1. New York Times, March 28, 1928, Page 1.

2. New York Times, January 12, 1928, Page 9.

And now that the Mexican treasury is assured of an income from petroleum profits and taxes on all sub-soil products extracted from the ground, what has the Mexican peon or mestizo obtained from article 27 of the constitution of 1917, and the profits derived therefrom? In the first place the Calles government has put into effective operation that portion of the constitution which states that no one individual or corporation which has held title to land undisputed, for ten years shall own more than one hundred twenty-three acres (50 hectares). All in excess of this amount is to be handed over to the commune, and the town officials are to indemnify that person so deprived of his vested areas.^{1.} This division of lands is to be carried out by the various states, and after its subdivision into smaller units is to be offered for sale to landless Mexicans at a nominal fee. All of those who desire to take advantage of this offer may be financially aided by already established Federal Farm Loan Banks.

Moreover, certain lands within every state are to be used for the establishment of agricultural, vocational, and other educational institutions. Since it is estimated that 33% to 88% of the Mexican people are illiterate, the percentage varying according to state educational institu-

1. Mexican Constitution, Art. 27, Section 7.

and that the Mexican Government is prepared

of an income from petroleum products and taxes on oil and
oil products extracted from the ground, which has the
Mexican Government to receive the income of 25% of the
production of oil, and the profits received therefrom
in the first place the Mexican Government has not intended
effective operation that consists of a concession which
states that no one individual or corporation shall be
granted the right to lease land, for ten years shall not
more than one hundred twenty-five acres, 250 hectares.
All in excess of this amount shall be divided over 10
years, and the same shall be divided over 10
years to be divided at his own discretion. The concession
of lands is to be divided into the various states, and
after the concession has been made it is to be divided
for sale to Mexican citizens at a nominal fee, and of
those who desire to take advantage of this offer may be
granted by the Mexican Government.

However, certain lands which have been
set apart for the establishment of agricultural, industrial,
and other educational institutions. When it is established
that 25% of the Mexican Government is to be divided, the
percentage varies according to the educational institution.

tions already established, Mexico has need of encouraging federal and state aid for the support of schools. Mexico with its population of 14 million, has 2,750,000 children who should be in school, yet out of this number 1,750,000 are without educational institutions which they may attend.^{1.}

The constitution of 1917 provides that education shall be free and secular. No longer will the church dominate the school system of Mexico, and henceforth all private schools are to be under the direction of the state. This drastic change is necessary if Mexicans of the future generations are to be taught the fundamental concepts and responsibilities of citizenship. Through the erection of state aided agricultural schools the Mexican farmer will be educated in the scientific methods of farming, thus enabling him to make a more decent, living wage.

It is the contention of the wealthy, who naturally oppose this division of their lands, that the ignorant are unappreciative of democratic institutions. Calles' reply is to educate the masses, then there will be stability in government. A program of "social action, of justice and more humane coördination of rights and duties will bring about in our country a greater consolidation of all

1. Saenz, Some Mexican Problems, Page 58.

It is already established, however, that the
the Federal and State aid for the support of schools.
which with the population of 15 million, and 1,750,000
children who should be in school, yet out of this number
1,750,000 are without educational facilities with the
rest of the population.

The constitution of India provides that education
shall be free and secular. No longer will the Government
maintain the school system of England, and consequently all
private schools are to be under the direction of the
State. This drastic change is necessary if the Government
the future generations are to be taught the fundamental
principles and responsibilities of citizenship. Whereby
the creation of state aided agricultural schools the
Western farmer will be educated in the scientific method
of farming, thus enabling him to raise a good harvest.
living wage.

It is the intention of the Government, who naturally
concern this Division of their health that the Government
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it is to advance the cause, and there will be a
in Government. A program of "social action" of health
and the health coordination of rights and duties will
bring about in our country a greater participation of all

legitimate interests of the people." Continuing, he states that it is not the Mexican policy to ruin property and wealth, but to free millions from the shackles, through education, moral and economic stimulus, and proper protection under advanced laws.^{1.}

One cannot be too enthusiastic over the new Mexican program, which under the constitution of 1917, and enforced by such leaders as Calles and Gil, calls for the political, economic, and social betterment of the Mexican people through a cultural and educational system for the benefit of the workers, with the ultimate goal a closer coöperation between the proletariat and the government; unity of all classes, more especially the proletariat and the middle classes; a well planned system of communication; a well developed government devised to prevent the control of small cliques and sectarian groups; and lastly, foreign relations based upon equity and justice, "without admitting that strong nations may impose their will upon the weak, in matters of domestic concern."

It is hoped that foreign governments will abide by the new interpretation of article 27 of the constitution of 1917, and will coöperate with the Mexican government.

Since 1917 the Mexican government has settled two

1. Calles, Mexico Before the World, Page 21.

...the interests of the people. ...

...that it is not the Mexican policy to ruin property
and wealth, but to free millions from the shackles of
ignorance, moral and economic stagnation and poverty.
...the order advanced here.

...On cannot be too enthusiastic about the new Mexican
progress, which began the constitution of 1917, and the
...forced by such leaders as Calles and Obregón, aimed for the
political, economic, and social betterment of the Mexican
people through a national and educational policy for the
benefit of the nation, with the aim of creating a new
...cooperation between the revolution and the government.
...of all classes, more especially the proletariat and
the whole nation, a well planned system of organization
...a well developed government, and to prevent the
...of small classes and to prevent the
...foreign relations based upon equality and justice, "the most
...that strong nations may learn from their will power
the weak, in relation of domestic content."

...it is hoped that foreign governments will assist
by the new organization of article 27 of the constitution
...of 1917, and will cooperate with the Mexican govern-
ment.
...since 1917 the Mexican government has been able to

out of three precarious problems, namely, the question of the ownership of natural resources, and the agrarian situation. There is yet to be considered the church. It has been noted that an attempt was made by the constitution of 1856 to separate the church and the state. The object was to place this organization in such a position that it would no longer be a dominating political factor. Naturally the church, with its large amounts of capital invested in Mexico, opposed all legislation which had for its purpose the depriving of the church of such rights as it had enjoyed since the sixteenth century. It has sought to retain its privileges through the support of the aristocracy which also has been the center of attack. The clergy then, have rendered material aid to all Mexican leaders who have adopted a program of despotism and not one of reform to better the economic and political conditions of the lower classes. Let it be again repeated, however, that the church is not alone in instigating the present revolution. Other vested interests are undoubtedly hiding behind the cloak of the church, aiding the revolutionists, yet attempting to point to the church as the one to be blamed for the rebellion. All three interests, the clergy, the hacien-dado, and the financier have joined hands, determined to overthrow the constitution of 1917.

and at these particular moments, namely, the situation
of the ownership of natural resources, and the expansion
situation. These are the two main considerations.
It has been noted that an attempt was made by the Church
in 1950 to negotiate the situation and the Church. The
object was to place the organization in such a position
that it would no longer be a religious institution.
Regarding the Church, with its large amount of capital
located in Mexico, Canada and the United States, and
for its purpose the handling of the Church of Christ
rights as it had enjoyed since the Christian era.
It was sought to retain the privileges through the aid
part of the episcopacy which also has been the center of
action. The clergy then, have continued to be
all Mexican leaders who have adopted a program of pas-
sivism and not one of revolt or the struggle and
political conditions of the lower classes. But it is
again repeated, however, that the Church is not alone
in maintaining the present revolution. Other forces
interests are undoubtedly working behind the scenes of the
Church, aiding the revolutionists, yet attempting to
point to the Church as the one to be feared for the re-
volution. All these interests, the clergy, the nation-
alist and the Communist have joined hands, determined to
overthrow the revolution of 1917.

Just what does this document say about the church? In the first place, article 3 states that no "religious organization or minister of any denomination may establish or direct schools of primary education." The object of this section of the constitution was to give the state absolute control of its educational system in order that it might train the child of the future to the responsibilities of government. The government has, justly or unjustly, accused the church schools of fomenting too much hatred toward the Federal government. The new law will prevent such an attitude in the future. A second reason for the state control of education has been to train the future citizen vocationally, a factor of importance which in the past the church has overlooked.

Furthermore, the constitution, article 130, provides that "in order to exercise in the United States of Mexico the function of a minister of any form of worship, the minister must be a Mexican citizen by birth." Just why did the government incorporate this clause? It must be remembered that Spanish priests outnumbered the Mexican-born. Naturally the sympathies of the former were not with the Mexican problem of democratic reform, but with the church.

In 1927 there appeared an article in the New York Times entitled "A Pastoral Letter of the Collective Episcopate of Mexico." This letter addressed to all good

Just what does this document say about the future
in the first place, article 2 states that no "religious
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or direct schools of primary education". The object of
this section of the constitution was to give the state
exclusive control of the educational system in order that
it might train the child in the future in the national
ideals of government. The government has, finally, in-
terested the church in the school of teaching the child
national ideals and the Federal Government. The law has al-
ready been an attitude in the future. A second reason
for the state control of education is that to train the
future citizen vocally, a factor of importance which
is the basis of the country's development.

Furthermore, the constitution, article 13, provides
that the order to exercise in the United States the
the function of a minister of the law of education, the
minister must be a Mexican citizen by birth. That was
the one government instrument this country. It was the
provision that should be made to the government of the United
States. Finally the government of the United States was not
the United States of America, but with
the United States.

In 1917 there occurred an article in the new law
which entitled "A law for the training of the religious edu-
cation of Mexico". This law was intended to all good

Americans, and sent from prominent church officials of Mexico, pointed out that the present law prevented preaching, "rendering of sacraments and worship in general." As a result, the letter stated, the church was unable to administer its functions. Another complaint as embodied in this article stated that many churches were, by order of the government, closed!^{1.} To be sure these statements were and are true even today. But let us get the other side of the question. In reply to this New York Times article, Calles stated "We proceed merely as we are obliged to do under the law, while they, abandoning their proper sphere, which is purely religious, seek to invade, and have invaded, the spheres of the government and of politics, and provoke disorderly movements and, overtly or covertly, rebellion."^{2.}

Why are the churches closed? The constitution guarantees freedom of religion. The reason lies in the fact that since Spanish priests are no longer able to conduct services, and there are not enough Mexican-born clergy, the churches had to close their doors. Furthermore, an act of 1926 provides that all clergy shall be registered before March 1, 1929. Again since many priests have refused to obey the orders of the government, churches have

1. Calles: Mexico Before the World, Pages 116 to 125.

2. Ibid., Page 117.

not been reopened. There is no logical reason why the clergy should not register, except there is a fear on their part that if they do this, it will be a virtual recognition of the superior authority of the state. Once recognition without protest is given, then their property, except that needed for church purposes, will be confiscated. Secondly, there is a widespread belief that Protestantism will become much stronger once their power is surrendered. Little does the church realize, apparently, that land in Mexico is not for the enrichment of the church, but the public.

In a recent memorial of the Catholic Church to President Calles, the church complained of the fact that his government was violating one of the "rights of man" by not allowing it to have freedom of the press. To be sure, Calles replied, the constitution does grant that privilege, but article 130 definitely states that no church organ shall "repudiate the actions of the government, or criticise it in any way, or encourage disobedience to its laws." Naturally the church will object to any clause which tends to prevent its spreading anti-democratic propaganda among its devotees.^{1.}

That the church has its grievances there is no doubt. The government has undoubtedly been very drastic in

1. Calles: Mexico Before the World, Page 199.

carrying out the provisions of article 130 of the constitution, of 1917. But has not the church itself done everything it could since 1856 to repudiate the more or less lenient laws directed against it? There has been no co-operation between church and state, and the latter has been compelled to use force to strengthen its demands. The method which Mexico is now using is no different from the action taken by France in 1905, or that by England during the 17th century.

The future of Mexico, then, lies in its ability to enforce its laws as enacted in 1917, and interpreted in 1926. It is not the coöperation of the Mexicans alone that is needed, but that of foreign governments and financiers and the church. He who has studied the Mexican situation cannot but feel enthusiastic over the new outlook in Mexico. Upon the guidance of such leaders as those who are looking, not for personal gain, but toward advancing the welfare of the Mexican public, does the future of Mexico depend.

SUMMARY

It has been the purpose of the author in the foregoing dissertation to emphasize three periods of American military and diplomatic intervention in Mexico, and to come to some conclusion as to whether the United States, in each case noted, was justified in pursuing the policy it did. In the first period of intervention, the Texan War of 1846 to 1848, the United States legally interfered in Mexican politics. Relations between Mexico and Texas had become so unbearable that the separation of the two territories was inevitable. Shortly after Texas had severed its relationship with Mexico, and had declared its independence, its citizens, dissatisfied with domestic conditions, invited the United States to annex Texas. The annexation of this southern territory was naturally a signal for war between the United States and Mexico. The Mexican government naturally had thought that its sovereign rights had been encroached upon. But it must be remembered that the citizens of a nation, through self-determination, have the final say as to the jurisdiction under which they desire to be. The United States, for its part, did all that it

possibly could to avert this war. Military intervention was forced upon us, and territorial expansion legalized through a treaty of peace with Mexico in 1848.

The second phase of American intervention in the affairs of Mexico was, in decided contrast to the first, purely diplomatic in nature. In 1864 Napoleon III, at the invitation of the aristocratic and clerical elements in Mexico, and for his own selfish desires of expansion, established Maximilian upon the throne of Mexico. In 1865 Secretary of State Seward strenuously objected to this type of conquest, and warned Napoleon that the United States would no longer tolerate the continuation of the French monarchy in Mexico. By 1867 the last of the French troops had been withdrawn. Napoleon III had not only ceased to support Maximilian because of the need of his troops and money in an approaching war with Germany, but he feared the Monroe Doctrine, which had definitely warned Europe, in 1823, that the United States would view with alarm the creation of monarchical forms of government in this hemisphere.

The last period of American diplomatic and military intervention in Mexico extends from 1878 to the present time. It must be noted that military intervention in this last period merely resulted in what some American statesmen wish to call "punitive expeditions." The Tampico incident, however, is as clear an evidence of forceful intervention as the

military history of the world can cite. Under the pretext of insufficient redress of grievances the American government sought to oust Huerta who was unfriendly to United States financiers.

It is probably best to phrase this last period as the financial exploitation of Mexico, backed as it were, by Washington. American financiers, upon the invitation of Diaz in 1878, made heavy investments in that Latin-American nation, and taking advantage of the government's need of money exploited Mexican riches accordingly. Whenever domestic conditions were not conducive toward the peaceful penetration of Mexico's natural resources, whenever American interests were threatened by confiscation or destruction, the aid of our government was immediately invoked. As a result the diplomacy between Mexico and the United States has been based upon threats which at times have nearly brought about war. In rendering protection to our interests we have not gone outside of the established precedents of international law. It always has been the policy of a larger nation to intervene in the affairs of that smaller nation which is unable to give sufficient police protection to foreign property. It is merely a question as to whether the United States has been and will be justified in the future in refusing to recognize or render material support to a Mexican leader who will not be friendly to American interests. Will

it ever be a future policy of the Washington government to create a precedent by refusing to aid American investors abroad who, in exploiting the riches of a weaker nation, have done so knowing that the instability of politics renders safe investment impossible? If money is invested in this country at the owner's risk and without the protection of the United States army, why should foreign investments carry with them a gun full of shot?

There can be no question that the influence of the State Department brought about a revision of Article 27 as incorporated in the constitution of 1917, and as further interpreted in 1925. The Mexican government, however, had overstepped its rights in withdrawing leases, grants and concessions given in perpetuity by the successive legislative acts of 1884, 1892, and 1906. She has been justified, however, in confiscating, with or without indemnification, those lands purchased or leased since 1917. In accordance with American constitutional interpretation Mexico actually has a right to regulate the exploitation of natural resources in whatever manner she may deem expedient.

Having obtained one step in the revision of the constitution of 1917, what will be the future policy? Undoubtedly the new administration will take a friendly and cooperative attitude toward the rehabilitation of Mexico. President Hoover's program to support President Gil as against those rebel leaders who, for one reason or

another, have attempted to gain control of Mexico City for the attainment of selfish glory. Although some radicals may criticise the administration for materially aiding the Gil faction, nevertheless, if it comes down to the question of democracy or anarchy, the former should be upheld at the expense of the latter.

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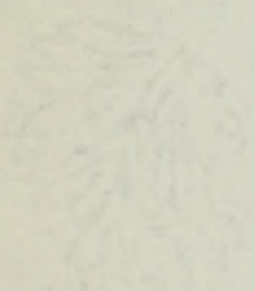
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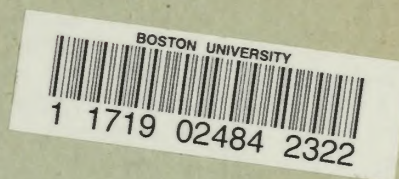
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